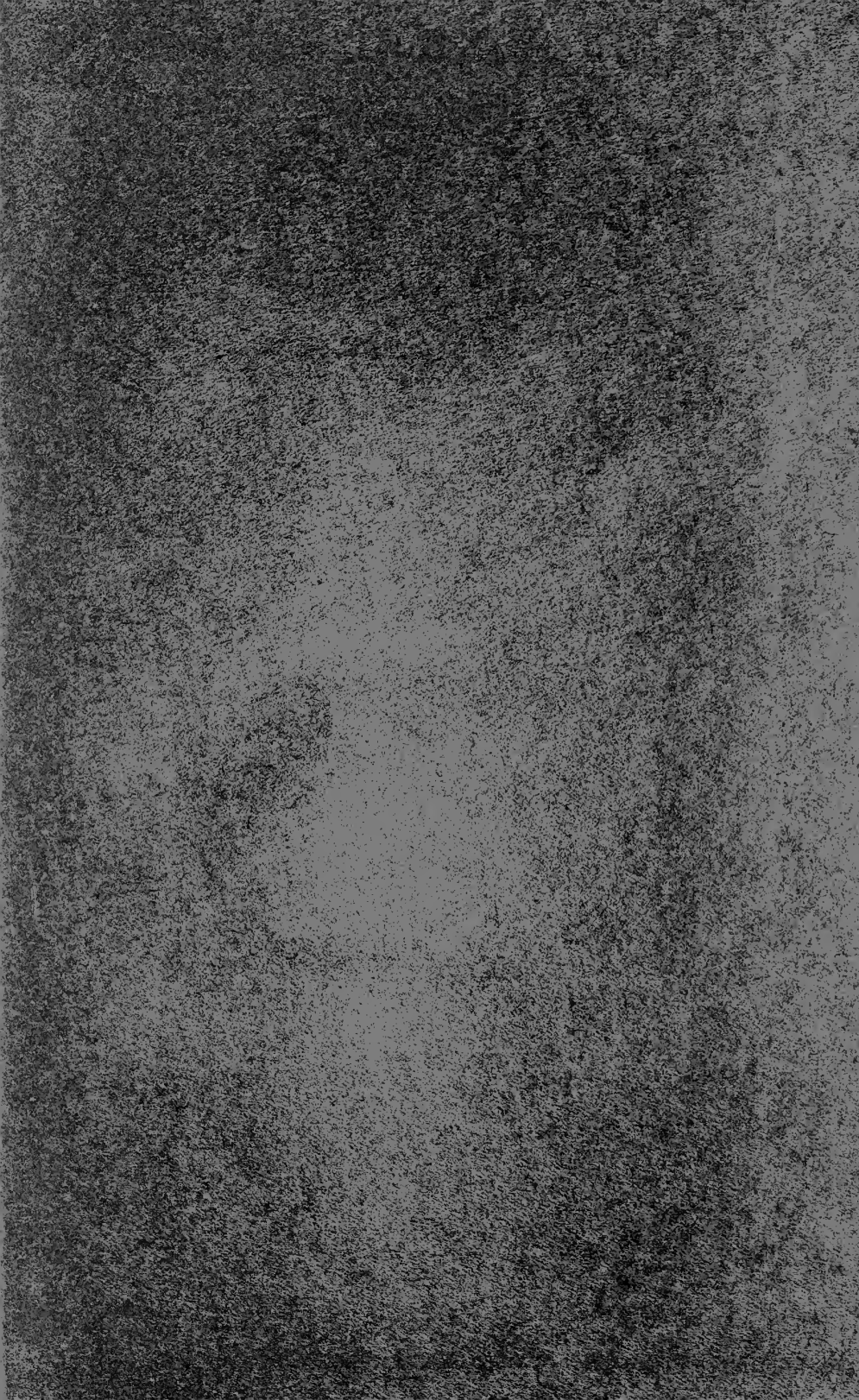


EX LIBRIS

BANCROFT LIBRARY











74  
Newlin, James W. 7m 1844-

# PROPOSED INDIAN POLICY.

By

James W. Newlin  
Philadelphia 1881

*The Bancroft Library*

staten

addre

No. 14674

14674  
15430B  
BANCROFT LIBRARY

## PROPOSED INDIAN POLICY.

---

It is intended in this paper to briefly consider the Indian question under three principal heads.

The *first* will concisely review the past conduct of the Federal Government toward the Indians.

The *second* will indicate what its policy should be in the future.

The *third* will point out the means necessary to be used to compel the Government to adopt and maintain such a policy.

### ABSORPTION OR EXTERMINATION.

The only alternative which civilization offers to the Indians is gradual absorption or extermination. There is no middle ground between these two extremes. But before they can be absorbed they must be led to civilization and citizenship. After that they will in time gradually assimilate with the general population and thus cease to be a separate and distinct race.

### FAIR PLAY.

The first great essential is that the Indians should have fair play. This the frontiersmen will never give them, and the disgrace of its denial falls not on them alone, but upon the whole Nation, which must make reparation for the wrongs it has permitted the border settlers to perpetrate.



## THE TRIBAL RELATION.

The separate existence of the Indians in tribes invites attack and is in this respect an element of weakness, yet, nevertheless, it is absolutely necessary to preserve them in that condition until they are sufficiently civilized to be made citizens—in fact, not merely in name—and thus become able to take their chances with other men in the battle of life.

A writer in the *Friends' Review* says, that in 1870, Pleasant Porter, a leading Creek, said to him : —

“If our country be placed under a territorial government and whites come in upon us, the few of us, who are educated so as to avail ourselves of the sale of lands, will become rich. But the mass of the people will soon lose their all and become vagabonds and fugitives. For untold generations, your people have held property in severalty and have had hereditary habits of acquiring and holding possession and of looking to the future. For untold generations our people have held property in common, have learned only to supply our present wants and to care nothing for the future, and when we are brought into contact you eat us up. Do all you can then to help us hold this territory intact until by the slow process of education, we can train our people to bear competition with yours.”

In order to clearly understand the Indian question and to indicate what course should be pursued by the Nation in its relations with this race, it is necessary that the history of the past be first considered.

Let the Federal policy of the past be briefly reviewed both as to its acts and the instigators of them.

## THE PAST FEDERAL POLICY.

The Federal policy in the past has been weak, shuffling and perfidious to the last degree. Let the reader for a moment ask himself what element has inaugurated this policy. It will be seen that the humanity, the enterprise, the public spirit, and the culture of the Nation have silently looked on unconcerned whilst the lawless passions and greed of a handful of frontiersmen and refugees have forced their ideas upon the Government. These are the refuse of the great cities, the failures of civilization, the men whose natures are restive under the restraints of law—in other words, the practical men who affect to sneer at what they term the sentimentality of the East. This class flourishes in all its native rankness in that political *fungus*—the glory of the immature commonwealths of the border—the mining town, and it is from this source that the Federal policy has drawn its inspiration. And yet the civilized millions of the Nation have, for generations, permitted a few thousand border ruffians to attitudinize on the political stage as the “pioneers of civilization.”

These men with fierce bluster and swagger have been allowed to force their barbaric demands upon the Federal Government which always talks well and acts ill.

The Nation has proclaimed that “all men are created equal and that they are endowed by their creator with certain inalienable rights.”

But according to these frontier statesmen, this means that “all men, *except Indians*, are created equal.” In the broad benevolent minds of the representatives of the political annex of mining, banking and railroad companies yclept the State, the redman’s “inalienable rights” are to be scalped, to be hunted like game, to be driven from his home, to have the property of his tribe destroyed without hope of redress. And all this for the benefit of those heroic souls who are wont to remind the world with no uncertain sound that they are “carry-

ing westward the frontier of civilization." God preserve us from such civilizers.

### THE RESULT

is one long story of never ending shame, of promises broken and repeated and broken again, of merciless wars, of wanton, unpunished massacres both by troops and citizens, of unblushing treachery, of assassination and stealthy murders and rapine not merely permitted, but ordered, with all the ghastly details of military etiquette, and of effusive praise by general officers of the regular army for the more than savage barbarism of troops under the command of subordinates, who knew what would be commended, and were more than willing to carry out the extermination theories of their superior officers.

To all this active evil must be added the neglect of every duty and the failure to perform every promise found inconvenient or unpopular. These are hard words, but the history that evokes them has been written in blood and tears drawn from the hearts and eyes of countless thousands of both races by the wanton encroachments of the frontier settlers and the alternate cruelty, weakness and perfidy of the Federal Government.

Bishop Whipple (1880) wrote: "Pledges solemnly made have been shamelessly violated. The Indian has had no redress except war. In these wars ten white men have been killed to one Indian, and the Indians who were killed have cost the Government \$100,000 each. Then came a new treaty, more violated faith and another war until we have not a hundred miles between the Atlantic and Pacific which has not been the scene of an Indian massacre." \*

Major General Stanley (1870) writing from Dakota, said that he was "ashamed longer to appear in the presence of the chiefs of the different tribes of the Sioux, who inquire why we do not do as we promised, and in their vigorous language, aver that we have lied."

Sitting Bull, who had declined to treat with the Government,

---

\* Preface to "Century of Dishonor," 1881.

sent his refusal to Assistant Secretary Cowen, in these words: "Whenever you have found a white man who will tell the truth, you may return and I shall be glad to see you."

It is utterly useless to argue with the border element. The humanity of the Nation must have a well-defined and aggressive policy of its own, and force its adoption on the Government. It must move on these so-called civilizers of the frontier and wipe out the wrongs they have done and are still doing, and with them the dishonor which now rests on the whole people, the responsibility for which they cannot avoid.

When history comes to pass upon this Nation, it will expose to posterity a people claiming to be just and free and brave, to be enlightened and humane, to be foremost in the race of life, yet for generations, without ceasing, committing on a brave, but weak and defenceless race, cruelties without name and perfidies without number. Only prompt and ample reparation can avert the lasting stain of a severe but righteous judgment.

#### A CONTRAST.

Is a contrast needed? It is at hand.

In Canada, since the American Revolution, there have been no Indian wars, no massacres, no ruined settlements. The Indians are loyal to the Crown. Why is this?

The Canadian Government fulfils its plighted faith, gives the Indian personal rights, protects him by wise laws, and its Indian service is not the spoil of partisanship. Its agents are fitted for their work, they hold office practically during good behavior, and the result has been peace and prosperity, both to the Indians and the settlers.\*

#### THE PUBLIC CONSCIENCE.

In order to remedy that accumulation of cruelty and wrong

---

\* Canada has, relatively, more room, more game and fewer Indians than the United States. The problem there is now simpler. But, when the United States was in the condition in which Canada now is, the Indians were treated no better than they are at present.

called the Federal Indian policy, the public conscience must be awakened. For a century it has slept, for generations it has known these evils and moved not. Within a few years there has been a change for the better. The atrocious wrongs of the past are becoming generally known and deplored. But the public conscience has not yet been quickened into action. It has not yet even determined that anything can be done much less attempted to do it. The greatest obstacle to be overcome and the cause of the greatest difficulty in solving the Indian problem will be found in what may be called the *vis inertia* of society. The evil is aggressive, restless, untiring, the good is the reverse.

All unite in condemning the shameless, vacillating "policy" of the Federal Government, but in the same breath nearly all exclaim of the Indians, nothing can be done for them! They are a doomed race! Certainly that is the way to doom them.

The well-meaning, indolent, average respectable citizen is sure that it is all very bad and should be changed, but he never dreams that the way to change is to change, and that it is his duty to help to bring about that change. It never occurs to him that he individually is to blame, but nevertheless he is. Why he should be called upon to exert himself in favor of this reform will never, unaided, strike his mind until he is moved from without. The invariable "why should we do this," or "let the Government attend to it," must be answered. That is the object of this paper. The individual citizen must be made to understand his personal duty, his responsibility must be brought home to him that he may be active for good, and thus help to force the Government to do right. There is only one way to bring about this result. The public must know the truth and its conscience must be thoroughly aroused.

In 1861, Secretary Stanton well said:—"If you came to Washington to tell us that our Indian system is a sink of iniquity and a disgrace to the nation, we all know it. This government never reforms an evil until the people demand it. When the hearts of the people are touched these evils will be reformed and the Indians will be saved."



## POPULAR ERRORS.

Before proceeding further in the subject, it is important to refute certain popular errors which must be eradicated, in order to properly understand and appreciate the Indian situation.

## INDIAN POPULATION.

There are over two hundred and seventy-five thousand Indians in the United States exclusive of those in Alaska. They are not dying out nor are they decreasing in numbers, and the tribes which are most civilized are steadily increasing in population and wealth. On this point all the best recent authorities agree. Bancroft (chap. XXII, vol. 3), in his history of the United States, estimates that the maximum Indian population east of the Mississippi and south of the St. Lawrence and the Great Lakes was, in the early part of the 17th Century, not over 180,000. Prof. Seelye, of Amherst College, has lately written : \* "The present number of Indians in the United States does not exceed three hundred thousand, but is possibly as large now as when the Europeans began the settlement of the North American Continent. Different tribes then existing have dwindled and some have become extinct, but there is reason to believe that the vast territory, now occupied by the United States, if not a howling wilderness, was largely an unpeopled solitude."

Col. Garrick Mallery, in a recent paper, has considered this question much in detail. † On the general question of Indian population, he says: "The conclusions submitted are that the native population of the territory occupied by the United States at its discovery has been wildly over-estimated, that while many

---

\* Preface to "Century of Dishonor" 1881.

† "Former and Present Number of Our Indians," published in proceedings of "American Association for Advancement of Science." Nashville Meeting, 1877, vol. xxvi, p. 340-66.

of its component bodies have diminished or been destroyed by oppression and violence, their loss has been in large part compensated by gain among others, that the 'blight' and 'withering,' or *ferae naturae* theory, is proved absolutely false, and that though some temporary retrogradation must always be expected amongst individual tribes at the crises of their transition from savagery or barbarism to more civilized habits; yet now the number of our Indians is on the increase and will naturally so continue unless repressed by causes not attributable to civilization, but to criminal mis-government, until their final absorption into the wondrous amalgam of all earth's peoples which the destiny of this country may possibly effect."

Col. Mallery treats the subject in considerable detail and gives the most reliable statistics by way of comparison with the wild over-estimates by various writers of the population of a number of the principal tribes. Some of the estimates may be useful here.

#### SEMINOLES.

Take the case of the Seminoles. In 1822, Sprague estimated them at 3899. In 1834, a Committee of Congress reported their numbers at 5000. In 1835, President Jackson calculated the number of warriors at 400. This would make the population 2000. In the same year the Secretary of War stated the number of warriors to be 750, or 3500 souls in all.

Now, whatever their numbers may have been, it is a very striking and impressive commentary on Indian affairs to reflect that this tribe for seven years defied, in Florida, the whole force of the Federal Government. Nearly every regular regiment was at one time or another engaged in this war, besides marines and sailors. In addition to all this, it seems almost incredible, yet is nevertheless true, that nearly 50,000 volunteers at different times and for different terms of service, took part in the struggle. During its continuance, in a Congressional debate on the authority of a General officer, their warriors were said to be 2000, making a total population of 10,000. Doubt-

less, this was to counter-balance the unpalatable facts, that \$30,000,000 were expended and 3000 lives lost in this contest.

In 1876 the Seminole population was as follows :

In Indian Territory,	-	-	-	2,553
Everglades,	-	-	-	475
On reservations,	-	-	-	2,000
Total,	-	-	-	5,028

Besides many others emigrated to Mexico.

Col. Mallery considers President Jackson's estimate about right and adds: "With all the losses of two wars, those remaining in the United States have, in forty years, more than doubled in numbers."

#### THE SIOUX.

In 1736, the French estimated the Dakota Sioux at 12,000. In 1766, Captain Carver thought them not so numerous. In the year 1847, Schoolcraft considered the population to be 21,000.

In 1876, on the authority of the Indian Commission, the Dominion Bureau and the reports of army officers, Col. Mallery says: "The actual strength of the Sioux Confederacy in the United States and Canada, cannot be less than 50,000. If the French were right in 1736, this body has quadrupled in 140 years. \* \* \* Without, however, relying on any comparison of estimates, it is enough to quote the report of the missionaries, who have lived continuously for the last half century among the Sioux, that they have increased one-third during that time."

#### IROQUOIS.

The Iroquois—first called the "Five" and afterwards the "Six" nations—a representative body of Indians, according to Dr. Lewis H. Morgan,\* numbered in 1650, not less than 25,000. Yet the same author afterwards † expressed the opinion, that the

---

\* "League of the Iroquois."

† "Ancient Society."

entire Indian population of New York, did not, at any time, exceed that number. In the year 1677, Wentworth Greenhalgh made a kind of census of the Iroquois and found them to number 2150 warriors, or 10,750 souls in all.

In 1763, Sir William Johnson estimated them at 2330 warriors, or 11,650 all told. According to the United States official reports for the year 1877, they numbered 6715, while for 1876, the Canada reports show 6953, making a total in the United States and Canada of 13,668, thus showing a small increase in numbers.

#### CHEROKEES.

Of this tribe, it is said, that no accurate census was ever made until 1809, when they were found to number 12,395. The Indian Bureau reports showed their population in 1876 to be 21,072, notwithstanding their great losses during the rebellion.

#### CONFUSING NOMENCLATURE.

Colonel Mallery suggests, that the exaggerated population theory—both as to original numbers and subsequent decrease—is, to a great extent, due to the numerous *aliases* of some tribes. On this point he says: “Besides the name by which each tribe called itself, its several neighbors on all sides gave it one wholly different, and as met by the Spanish, French and English, a new title was either independently coined, or one of those first encountered, adopted or translated with ever-varying pronunciation and orthography, so as soon to defy the recognition of etymologists.” He then gives the following examples:

The Mohawks were called also, Anies, Agniers, Agnierrhonnons, Sankhicans, Conungas, Mauguawogs, Makwaes and Ganeagaonhoh.

The Oneidas were also known as, Oneotas, Onoyats, Anoyints, Onneiouts, O-na-yote-ka-o-no and Onorochrhonnous.

The Senacas were also named Sinnikes, Chennissies, Genesees, Chenendoanes, Tsonnontouans, Ienontowanos and Nundawaronoh.

Doubtless the reader is now satisfied that the Indian race is not dying out.

#### THE PROPORTION OF MARAUDING INDIANS.

Since the inauguration by General Grant, of the "Peace Policy," the number of Indians marauding has at no time exceeded a few hundred, and sometimes has been reduced to a very inconsiderable number. It will doubtless startle most readers to know that, taking the average of the last ten years, the percentage of marauding Indians to the entire Indian population has been less than the percentage of the criminal classes in prisons, reformatories and houses of correction to the entire population in municipalities both here and abroad.

It is difficult to obtain exact statistics, particularly in the United States, in an accessible form, but notwithstanding all the influences of Church and State, and all the civilizing agencies of these great centres of population, it is very clear that in lawlessness the odds are greatly in favor of the Indians.

During the period mentioned the average of marauding Indians has been less than *one* out of every thousand!

Compare this with civilization's criminal statistics.

Take Philadelphia, for instance.

Its population is under 900,000. If it had no greater ratio of criminals than the Indians have of marauders, the number would not exceed 900.

But what are the facts?

On September 30th, 1880, Philadelphia had nearly 2,400 criminals—young and old, great and small—in *actual confinement*! \*

Who can estimate the number at large?

---

* Eastern Penitentiary (from Philadelphia County), about	-	500
County Prison (convicts and awaiting trial)	- - - - -	584
House of Correction	- - - - -	887
House of Refuge	- - - - -	398
Total,	- - - - -	2,369



The police of that city compose a force of 1,277 men, and they are kept busy watching those criminals who are *not* incarcerated.

If there be only two criminals at large for each policeman—or to state it in another way, if there be only one criminal *out* for each one *in* jail—the number would exceed 4,800, or more than *five* in every thousand who are marauding against society as far as they are able, taking into consideration the respective opportunities of the Indians and of the civilized criminals. For this difference must be borne in mind. When an Indian tribe becomes hostile, it finds itself in most cases almost in a state of nature with no serious barrier to excesses. The municipal criminal, however, is so hedged in by the endless guards which society has erected for protection, that his opportunities are very limited in comparison with the almost absolute freedom in which a hostile Indian at first finds himself.

In New York, and some other places, the criminal population is greater than in Philadelphia.

On this question an English writer gives some curious details of crime in nine municipalities.\* In most of these places it will be observed that the proportion of criminals is much greater than in Philadelphia. Viewed in the light of these facts, how inexcusable it is (even for those who are totally devoid of moral sense) to advocate the extermination of the Indians on account of the insignificant number on the war-path!

This subject is referred to by Secretary Schurz, in his report for 1879, page 4. In it he uses this language: "It is believed

\*In the "History of Crime in England," by L. Owen Pike, p. 672 (1876), the following curious table is given:

"Order of criminality in nine representative towns [1871-3] as illustrated by indictable offenses, giving the number of inhabitants to each indictable offence."

1. Manchester,	one to each 84 of the population.
2. Liverpool,	" " 128 " "
3. Birmingham,	" " 196 " "
4. Durham,	" " 208 " "
5. New Castle on Tyne,	one to each 263 of the population.
6. Metropolis, (P. D.)	" 292 " "
7. Wolverhampton,	" 325 " "
8. Sheffield,	" 363 " "
9. Bristol,	" 645 " "

by many that the normal condition of the Indians is turbulence and hostility to the whites; that the principal object of an Indian policy is to keep the Indians quiet; and that they can be kept quiet only by the constant presence and pressure of force." This is an error. "Of the seventy-one Indian agencies there are only eleven which have military posts in their immediate vicinity and fourteen with a military force within one to three days march."

"Of the 252,000 Indians in the United States there have been since the pacification of the Sioux, at no time, more than a few hundred in hostile conflict with the Whites. Neither does it appear that such partial disturbances have been provoked by the absence, or prevented by the presence of a military force. Of the four disturbances which have occurred within the last two years, three broke out in the immediate presence of such military force, and only one without it. At this moment (1879) a band of less than 800 Utes and another of 150 Indian marauders in New Mexico, in all less than 1,000 in an Indian population of a quarter of a million, are causing serious trouble."

"In fact, the number of white desperadoes who were within the past twelve months banded together in New Mexico for murder and rapine was larger than that of the Indians recently on the war-path in the southern part of the Territory. While I am by no means disposed to belittle the deplorable nature of the Indian disturbances or the great value of a military force in suppressing them, it is but just to the Indians to point out the important fact that disturbance and hostility is the exception, and peaceable conduct the rule; that a very large majority of Indian reservations are in a condition of uninterrupted quiet without the presence of coercing force, and the equally significant experience that the more civilized an Indian tribe becomes the more certainly can its peaceable and orderly conduct be depended upon. The progress of civilization and the maintenance of peace among the Indians have always gone hand in hand."

In this connection it may be well to consider the last report

of the Judge Advocate General of the Army wherein it appears that in a force, all told of under 25,000 men, no less than 2,182 offenders were convicted by Courts Martial. This would make a ratio of over *eight* in a thousand. Yet the Army proposes to civilize the Indians! Later on, will be seen what the Army has done in this direction.

#### INDIANS CAPABLE OF CIVILIZATION AND SELF-GOVERNMENT.

Not only do accomplished facts show that the Indians are capable of civilization and self-government, but the whole history of the human race refutes the idea that any body of men can be so wild and intractable as to be incapable of subjection, civilization and, finally, of some form of self-government. This point needs no elaboration. History is full of instances of people, as savage and more so than any Indians now on the plains, who yet have been civilized. The fault is not with the Indians, but with the Whites.

#### INDIANS COMPARED WITH THE GERMANS AND HUNS.

The condition of the Indians of this generation presents no greater obstacles to civilization than did the state of the ancient Germans in the time of Cæsar and Tacitus.\* With the Germans society was very rude. They lived by hunting and pasturage, and subsisted upon flesh, milk and cheese. Agriculture was despised by these people. The Goths and Huns entertained similar ideas and lived in the same way. What little authority was possessed by any one was vested in the Chief of each district. Their functions were very vague and depended more on their personal character and weight than on the customs of their people.† Their power did not extend to great matters, which were settled by an assembly of the whole people. In war-like expeditions none were compelled to engage, they being composed wholly of volunteers; but having engaged in the undertaking it was considered infamous to fail in its support. The power of the Chiefs depended on their ability to attract, and afterwards

---

\* Cæsar, lib. vi., c. 21, 22, 23. Tacitus, Mor. Germ., c. 14, 15, 23.

† See this comparison pursued in some detail in Robertson's Charles V. note 6.

retain the assistance of war-like adherents. They had no criminal jurisdiction, as this would have interfered with the dearest of barbarian rights, that of private revenge. Each free man avenged the wrongs of his family or friends, according to his own desires. Hereditary feuds were common, yet in the case of the highest crimes against the person—even murder—the wrath of the injured party might be appeased by gifts.

In every one of these particulars it must be admitted that the coincidences of condition between the Germans and Huns and the American Indians are very striking.

#### THE SIX NATIONS.

At a very early period the Confederacy of the Six Nations had established a system of government well suited to their wants. Each Nation had its own Council for the enactment of laws for the Government of its tribes, and in addition there was constituted a general Council or Congress of all the Nations, which passed laws and regulated the affairs of the entire Confederacy. This body was composed of representatives of the different Nations and unanimous consent was necessary to secure the adoption of any proposed measure—surely a remarkably conservative provision.

#### INDIAN CHARACTER.

Indeed so far from the North American Indians presenting any peculiar obstacles—more than other savages—to their successful civilization they, on the contrary, have many qualities that tend to lighten the task. Bishop Whipple who has given so many years of his life to their welfare, thus describes them : \*  
“ The North American Indian is the noblest type of a heathen man on the earth. He recognizes a Great Spirit, he believes in immortality, he has a quick intellect, he is a clear thinker, he is brave and fearless, and, until betrayed, he is true to his plighted faith ; he has a passionate love for his children and counts it a joy to die for his people, but our most terrible wars have been with the noblest types of the Indians and with men who had been the white man's friend. Nicolet said the Sioux were

---

\* Preface to “ Century of Dishonor.”

the finest type of wild men he had ever seen. Old traders used to say that it was the boast of the Sioux that they had never taken the life of a white man."

Colonel Mallery speaking of the Cherokees says : \*

"The Cherokee Legislature would be a good school in decorum and common sense for our House of Representatives; and some of the reservations for observance of law, interest in education, and success in useful industries, compare favorably with our white frontier population. There is nothing exceptional in the character of the Cherokee or Iroquois to account for his emerging from the perishing class to assumed prosperity. Portions of the fierce Dakotas and the haughty Sahaptims have shown the same adaptability. If they can, so all can. At any points where the race is now degraded and diminishing, it is not from an irrepressible conflict with civilization, but with civilization's local and Washington representatives."

"Neither from views of their physiological, religious or psychological characteristics, should they be regarded as an exceptional or abnormal part of the human race or so treated in our national policy. Only those legislators and officials who are prepared to encourage downright murder, can neglect their duty under the Satanic consolation of the convenient extinction doctrine. With continued injustice, more Sitting Bulls and Chief Josephs driven into the last refuge of despair, will require expenditure of blood and treasure which simple truth and honesty would not only prevent, but would preserve, reclaim and elevate a race entrusted to our national honor which may readily and with no long delay become a valuable element in our motley community."

#### CIVILIZATION STATISTICS.

In considering the progress which has already been made by the Aborigines—whether the five civilized tribes or the reser-

---

\*" FORMER AND PRESENT NUMBER OF OUR INDIANS.

(From proceedings of American Association for Advancement of Science, Nashville Meeting, August, 1877) vol. xxvi. p. 340-66. Printed at the Salem Press, July, 1878.) page 365.



vation Indians are taken for examples—all alike, though in different degrees, demonstrate Indian civilization and self-government to be but a questions of time and opportunity. It is not intended here to go into any great detail of statistics, but simply to touch on the salient points.

Taking the entire Indian population—in the Territory and on reservations—it will startle most readers to know—

That more than half the entire number now wear citizens' clothes.

That there is one house for every ten Indians.

That they have sixty boarding-schools.

That they have one school for every 850 of population.

That nearly one-fourth of the children go to school.

That about one-sixth can read.

That nearly \$400,000 per annum of their own money is spent by the Indians for school purposes.

Some details of production (for 1878) may be useful here.\*

A remarkable instance of Indian capacity was presented by Sequoyah, a Cherokee, who in 1820, invented an alphabet for

#### \* FIVE CIVILIZED TRIBES.

Acres cultivated, - - -	245,000	Horses, - - - - -	40,000
Bushels Wheat, - - -	494,000	Mules, - - - - -	4,750
“ Corn, - - -	2,642,000	Cattle, - - - - -	236,000
“ Oats & Barley, - -	201,000	Hogs, - - - - -	173,000
“ Vegetables, - - -	320,000	Sheep, - - - - -	25,000
Tons of Hay, - - -	116,500		

#### OTHER TRIBES.

Acres cultivated, - - -	128,018	Cattle, - - - - -	52,867
“ new land broken, -	22,319	Hogs, - - - - -	27,671
Bushels Wheat, - - -	266,100	Sheep, - - - - -	510,674
“ Corn, - - -	971,303	Lumber sawed (feet), -	8,100,630
“ Oats & Barley, - -	172,697	Cords of wood cut, - -	132,888
“ Vegetables, - - -	315,585	Shingles, - - - - -	200,600
Tons of Hay, - - -	36,943	Maple Sugar (lbs.) - -	387,000
“ Melons, - - -	193	Wild Rice gathered (lbs)	146,000
“ Pumpkins, - - -	697	Woolen Blankets and Shawls	
Fencing (rods), - - -	124,056	made, - - - - -	17,000
Allotments of land to full		Willow Baskets, - - -	2,530
blooded Indians, - -	2,351	Cords of Hemlock Bark peeled	3,800
Horses, - - -	176,766	Wool sold (lbs.) - - -	211,000
Mules, - - -	4,479	Fish sold (bbls.) - - -	3,600

his native tongue. It is composed of 86 letters, or rather syllables. That number of sounds in endless transposition comprise the language. It is said that it may be learned in an incredibly short time.

#### WORK.

The Commissioner of Indian Affairs, in his annual report in 1879, writes: "It is no longer a question whether Indians will work; they are steadily asking for opportunities to do so, and the Indians who to day are willing and anxious to engage in civilized labor are largely in the majority. There is an almost universal call for lands in severalty, and it is remarkable that this request should come from nearly every tribe except the five civilized tribes in the Indian Territory. There is also a growing desire among Indians to live in houses, and more houses have been built and are now in the course of erection than have been put up during any previous year. The demand for agricultural implements and appliances, and for wagons and harness for farming and freighting purposes, is constantly increasing, and an unusual readiness to wear citizens' clothing is also manifested."

In a speech delivered in Brooklyn, March 15th, 1881, ex-Secretary Schurz said: "Two thousand freighting wagons are now being run by Indians. They are honest, faithful and efficient. On the plains of Dakota these Indian freighters have often suffered from hunger but never opened a cracker-box." In the same speech he mentioned the case of an Indian—inaptly named Don't-know-how—who started a store in 1878 with \$25, and is now worth \$2,000. The Secretary added that since his accession of wealth this late Aborigine calls himself "D. K. How!"

#### RESERVATION INDIANS.

The voluminous testimony taken before the Joint Congressional Committee of 1879 presents a very full account of the actual condition of the various tribes at the present time. Although the inquiry was principally directed to the consideration of the propriety of transferring—or rather re-transferring—the Indian Bureau to the War Department, the whole subject of

Indian affairs was more or less inquired into. The evidence shows a most remarkable advance in civilization in the past few years. Some details will be found instructive.

## YAKIMA AGENCY.

An interesting account of the progress of these Indians in civilization is given by Agent Wilbur. They were taken from the war-path in 1856 and gathered upon the Agency in 1864. They were then very poor. Agent Wilbur went amongst them in 1866 as Superintendent of Instruction. They had never plowed or sowed, and "there was no working amongst them." They were in the habit of getting rations without work. He altered this and made work practically compulsory. As he expressed it: "My practice has been to have the Indians work if they wanted food, and if they were unwilling to work to let them go hungry. When they would work, however, they would commence very awkwardly, and make a man's bones ache to see them shovel and hoe, or hold the plow, yet they would go to work and do what they could to get into the habit of work and to become more experienced, and they got paid for it. We have been in the habit for years of making them work for everything they got, food and clothing, and so on. We issue nothing unless it be to the sick and needy of the Agency." The contrast in these Indians between 1856 and 1879 is emphasized by statistics as given by the agent.\*

---

\* The Indians number 3700. Their property is as follows:

4,000 head of cattle, worth	- - - - -	\$60,000
7,000 horses worth	- - - - -	255,000
10,000 acres of land, under fence, worth	- - - - -	30,000
6,000 " " with horses and barns and other improvements, worth	- - - - -	48,000
50 wagons, worth	- - - - -	3,000
100 sets of harness, worth	- - - - -	1,500

They raised last year:

42,000 bushels of grain, worth	- - - - -	21,000
500 tons of hay, worth	- - - - -	2,500
300,000 feet of lumber, worth	- - - - -	7,500
8 houses, built during season, worth	- - - - -	2,400
1 barn " " at station	- - - - -	1,000
1 story added to boarding-school,	- - - - -	1,000
300 cords of wood, cut and hauled,	- - - - -	900

---

Total, \$434,800

The Indians here built a steam saw-mill without any Government aid, with money received by them from stock-men for grazing cattle for them. The Indians hauled this machinery sixty-five miles. "This mill will cut 1,000 feet per hour of fine lumber, plane 8,000 feet of lumber, and make 15,000 shingles a day. The whole work was done by the Indians with the help of only two white men. They have a boarding-school and have houses that are worth from \$100 to \$500, quite a number of which are painted outside, and in, with tables, clocks and other furniture, and so in fact they are living like white people."

*The most important fact in connection with these Indians is that no troops have been at this Agency for sixteen years, and none now (1879) are within 150 miles of it.*

#### COMPARATIVE CONDITIONS.

Before the same Committee, Barclay White, (for several years an Indian superintendent and special agent for the Society of Friends,) read a remarkable paper, showing the advance in civilization made in ten years by several tribes. The details are given in parallel columns, so that the contrast may be more readily seen.

##### SANTEE SIOUX in 1868.

Acres of land cultivated,	340
Log houses occupied,	65
Corn raised (bushels),	6,000
No wheat.	
No school of their own.	
No mill.	
No Indian mechanics.	

##### SANTEE SIOUX in 1878.

Members of tribe naturalized as citizens, 364. All these Indians wear citizens' dress. They have an industrial boarding-school, good stone water-power flouring mill. All the Indian children attend school part of the year. Have an elective Government instead of hereditary Chiefs. Enough crops raised to feed entire number. The Agency clerk, miller, blacksmith, teamster and herders are all Indians. Nearly all belong to some Church. 300 read English. 1,000 acres of land cultivated. Lands allotted in severalty by certificate of occupancy. 5 frame houses. 119 log houses. Generally use chairs, tables, plates, knives and forks.

## WINNEBAGOES in 1868.

Then this tribe was governed by 14 hereditary Chiefs and (except 50 persons) the entire tribe lived in the timber on foursquare miles of land. 10 acres of wheat and 300 acres of corn, producing 6,000 bushels, were all they cultivated. Food rations were weekly issued to them, costing over \$25,000. None were taught trades. They had two schools, with but one teacher.

## WINNEBAGOES in 1878.

Now the tribe elects 12 Chiefs annually. *The tribe is self-supporting.* No rations except a small amount of flour to induce school attendance. They have an industrial school and three day schools; 15 brick buildings; 25 brick and frame buildings. Their lands are allotted in severalty. They raised crops as follows:

8,000 bushels of wheat,  
30,000 " " corn,  
1,000 " " oats,  
5,000 " " potatoes.

They nearly all wear citizens' clothes. The engineer, blacksmith, carpenter and shoemaker at the Agency are all Indians and they have numerous skilled mechanics. 175 read English.

## OMAHAS in 1868.

Governed by hereditary Chiefs. Subsisted on corn-meal, semi-annual buffalo hunts and cash annuities. They cultivated 900 acres of land, producing 100 bushels of wheat, 20,000 bushels of corn and 500 bushels of potatoes. They had twenty frame and thirty log houses.

## OMAHAS in 1878.

The population has increased each year; lands allotted in severalty; buffalo hunts abolished.

2200 acres cultivated,  
17,000 bushels of wheat,  
32,000 " " corn,  
1,200 " " oats,  
6,000 " " potatoes.

*More produced than the people required.* Two day-schools filled with scholars. No furs sold. 15 frame, and 80 log houses. 135 read English.

## PAWNEES (Nebraska) 1868.

The tribe lived principally on semi-annual buffalo hunts. 900 bushels of wheat grown for them by the Government. No farms—excepting squaw patches. 65 children reported in school. 8 frame, and 3 log houses, nearly all occupied by white employees.

## PAWNEES (Indian T'y.) 1878.

They have one stone industrial boarding-school for 80 pupils; 2 day schools with 103 scholars; 2 frame and 24 log houses, occupied by Indians. 960 acres cultivated by the Indians, producing 8,000 bushels of corn, 400 bushels of oats. The change of climate caused a loss of one-third of their tribe. 120 read English.

OTTOES and MISSOURIAS, 1868.

No school.

No grain raised.

The tribe lived by semi-annual buffalo hunts and cash annuities.

IOWAS, 1868.

They had one day-school. The teacher reported: "It is impossible to advance the children in the rudiments even of an English education, to any satisfactory extent, when neither teacher nor pupil can make themselves understood except it be through the medium of an interpreter."

They had seven frame and sixteen log houses, occupied by Indians. No wheat, 3,000 bushels of corn and 600 bushels of potatoes.

SACS and FOXES of Missouri, 1868.

They had no school and cultivated no crops, except on a limited number of squaw patches. Their subsistence was principally derived from the chase and proceeds of semi-annual payments of cash by the Government.

OTTOES and MISSOURIAS, 1878.

One industrial boarding-school with 43 scholars. 500 acres cultivated by Indians; produced 1,700 bushels of wheat, 6,000 bushels of corn, 900 bushels of oats, 800 bushels of potatoes. They raise cattle instead of depending on hunting.

IOWAS, 1878.

One industrial boarding-school. Every child of school age—except one—attended some time during the year. 750 acres cultivated by themselves. Many families have fenced farms. They have 1,600 fruit trees, 300 grape vines, 1,441 bushels of wheat, 3,200 bushels of corn, 300 bushels of potatoes.

SACS and FOXES of Missouri, 1878.

They have an industrial boarding-school. Majority of children of school age attend school. 453 acres cultivated by tribe. Produce 399 bushels of wheat, 8,000 bushels of corn, 446 bushels of potatoes.

YANKTON SIOUX,\* 1880.

"We have no jail, no law except the treaty and the agent's word, yet we have no quarrels, no fighting, and, with one or two exceptions, not a single case of drunkenness during the year. This I consider remarkable when we take into consideration the fact that the reservation is surrounded by ranches where liquors of all kinds can be obtained."

Surely no unbiassed reader can doubt the future of these tribes, but when the history of the five civilized tribes in the

---

\*Extract from Report quoted in "Century of Dishonor."

Indian Territory is considered, it will be shown even more clearly that the Indians' capacity for civilization and self-government is a demonstrated fact.

#### RECENT CANADIAN STATISTICS.

In this connection some extracts from the report of the Dominion Minister of the Interior 1877, will be found of interest. He says, p 11: "The moral and material condition of the Indians in the North-West has been steadily and surely progressing since the North-West Territories were included in the Dominion. The Liquor Law and the Mounted Police Force have together succeeded in stamping out almost entirely the vice of drunkenness. Crime is comparatively rare. The irritation and distrust which existed in certain localities or among particular bands of Indians have been replaced by an almost universal feeling of contentment and gratitude to the government for its liberality and benevolence."

Then follows an "instruction" the adoption of which would have saved many wars in the Territories.

"The Commissioners were moreover warned against making any attempt to cause any violent or sudden change in the habits of the Indians, or to divert them from any legitimate pursuits and occupations in which they might be profitably engaged, but rather to encourage them in any branch of industry in which they were so employed" (p. 16 same report).

"The traditional policy of Canada towards the Indians has been ever such as to secure the good will of the Indian population." P. 17. Speaking of the successful conclusion of a treaty with the Blackfoot and Piegan Indians he says: "The conclusion of this treaty with these warlike and intractable tribes, at a time when the Indian tribes immediately across the border were engaged in open hostilities with the United States troops, is certainly a conclusive proof of the just policy of the Government of Canada toward the aboriginal population.

It is known that many persons in the North-West entertained grave doubts about the issue of the negotiations, and on the other side of the International boundary the newspapers did not hesitate to predict the utter failure of the attempt."

Speaking of the Sioux he writes: "Upon the whole they (Manitoba Sioux,) appear to have made fair progress in cultivating the land, and their prospects for the future, had they the advice and assistance of some good farmer for a few years, would be encouraging. Indeed, the Sioux generally, who are resident in Canada, appear to be more intelligent, industrious and self-reliant than the other Indian Bands in the North-West. They are accustomed to rely too much upon the Government for assistance and direction and too little upon their own industry." P. 19, speaking of the Fraser Indians, he reports: "Should they continue to progress as they are now doing, the Superintendent states that he has reason to expect that in the course of a few years they will be completely self-sustaining and independent." Page 21: "As an evidence of the industry of the Indian population generally, it is mentioned that of the furs, oils and cranberries annually exported from British Columbia, amounting in the aggregate to nearly a quarter of a million of dollars, almost the whole amount is due to Indian labor."

A letter of Gilbert Malcolm Sproat, Joint Commissioner, (printed in Interior Department Report, 1877, p. lxxv.,) speaking of the Indians generally, and their relations with the Whites, says: "The Commissioners have very earnestly and patiently endeavored to solve the Indian problem, starting from the basis of things as they are, and they have done this not as philanthropists or as legal pedants, but as practical men with broad sympathies and firm common sense. They have tried to calm the minds of the Indians, and to give them enough but not too much land in a country in which both White settlers and Indians have to find a living by industry and civilized pursuits. Where questions have arisen, the laws of the land, modified reasonably in their application by tender regard to rural customs, have been their guide. Any other principle of action, though leading perhaps to a temporary personal popularity, would dis-



appoint the public. It is to the credit of the Province that what adverse critics might call deliberate aggressions by white men upon Indian lands have been rare, Indian encroachments upon the lands of white men have been more common, but the occurrence of these must be viewed in the light of existing circumstances. There have been some mistakes and small encroachments, both by Indians and White men; but in these cases generally, it has been sufficient to point out the facts and the laws by which the parties must be guided."

On May 1, 1880, the Canadian Indians were removed from the control of the Department of the Interior and placed under the new Department of Indian Affairs—the same minister, however, being at the head of the new department. It was organized under an Act passed in 1880. \*

The total Canadian Indian population is 105,690, in the neighborhood of one-third of the number in the United States.

---

\*The following statistics (1880) are very encouraging :

Indian population on reserves, - - - - -	36,262
Acres of land cultivated, - - - - -	73,789
New land made tillable in 1879-80, acres, - - - - -	1,893
Houses or huts owned by Indians, - - - - -	7,032
Barns or stables, - - - - -	2,688
Ploughs, - - - - -	2,092
Harrows, - - - - -	1,582
Wagons, - - - - -	1,386
Fanning mills, - - - - -	347
Threshing mills, - - - - -	43
Other implements, - - - - -	11,677
Horses, - - - - -	12,855
Cows, - - - - -	7,227
Sheep, - - - - -	2,081
Pigs, - - - - -	7,711
Oxen, - - - - -	1,230
Young stock, - - - - -	3,650
Corn raised, bushels, - - - - -	62,528
Wheat, - - - - -	65,689
Oats, - - - - -	85,346
Peas, - - - - -	26,882
Barley, - - - - -	17,796
Rye, - - - - -	5,546
Buckwheat, - - - - -	5,046
Potatoes, - - - - -	152,577
Hay, tons, - - - - -	12,907
Value of fish caught, - - - - -	\$137,282
Furs sold, - - - - -	\$ 95,120
Other industries, - - - - -	\$372,075

Considerable progress was reported in various tribes in agriculture, the Government having sent farm instructors to the Northwest Territories. The Indians are relieved and helped but all able bodied men are compelled to work for the food given to them and their families. Habits of industry and self-support are thus forcibly inculcated. Notwithstanding the popular belief that an Indian could not be turned into a farmer, the farm instructors met with gratifying success. At Bud's Tail Creek, Assiniboin Sioux Reserve, nearly every family has a house and lives on the reserve all the year, having raised crops sufficient for their support. Cutting timber, and building houses and fences engages much Indian labor. The Government proposes using Indian labor in the construction of a portion of the Canadian Pacific Railway!

The educational statistics show that during the year 1880-81, 3474 Indians attended school. The salaries paid to teachers were very low, varying generally from \$100 to \$400 per annum. Reading, writing, spelling, arithmetic, grammar, geography, history and Scripture are taught. In some cases also instruction is given in music, singing and drawing. The children are irregular in attending the schools, owing in part to the absence of families from the reserves on fishing and hunting expeditions. On this subject the Superintendent General says:—"The Indian youth, to enable him to cope successfully with his brother of white origin, must be dis-sociated from the prejudicial influences by which he is surrounded on the reserve of his band. And the necessity for the establishment more generally of institutions, whereat Indian children, besides being instructed in the usual branches of education, will be lodged, fed, clothed, kept separate from home influences, taught trades and instructed in agriculture, is becoming every year more apparent." The report expressing the following views on tribal government:—"Convinced of the desirability of introducing, as soon as Indian bands are prepared for it, a better system for managing their local affairs than the one which at present prevails among them, under which the chiefs (who in many cases are hereditary, and therefore may or may not fairly represent the

intelligence of the band) control such matters, the department despatched a circular to the various Indian superintendents and agents, calling upon them to report whether the bands under their supervision were sufficiently enlightened to justify the conclusion that the inauguration of a simple form of municipal government among them would be attended with success. From the majority of its officers who have replied to the circular the reports received lead to the conclusion that the Indian bands within their respective districts are not sufficiently advanced in intelligence for the change. An attempt will, however, be made at an early date to obtain the consent of the more advanced bands to the establishment of some such system. It is thought that a council, proportionate in number to the population of the band, elected by the male members thereof, of twenty-one years and over, and presided over by a functionary similar to the reeve of a township, might answer the purpose; or, in its initiatory stage, the council might be presided over with better results by the local Indian superintendent or agent. The matters upon which this elective body should pass by-laws, subject to confirmation by Your Excellency in council, should embrace the making of line fences, ditches and roads, the prevention of trespass by cattle, the preservation of order on the reserve, the repression of vice, etc."

Owing to the prevalence of small-pox, a general vaccination will be enforced by the government. In the matter of the decrease of buffalo and increase of whiskey, the Dominion Government feels, in a measure, the same evils with which the United States has to cope.

## THE FIVE CIVILIZED TRIBES.

They are the Cherokees, Creeks, Choctaws, Chickasaws and Seminoles, who live in the Indian Territory. Their title to the territory and their absolute rights therein will first be considered, and then some statistics will be given, showing them to be now civilized and in the present absolute enjoyment of life, liberty and property, under their own government, without any assistance therein from either the civil or military agents of the United States.

## THE INDIAN TERRITORY.

HISTORICAL REVIEW—THE INDIAN TITLE TO LANDS AND  
ABSOLUTE RIGHT OF SELF-GOVERNMENT.

In 1830 Congress set apart the Indian Territory as a permanent home for such tribes as might be induced to leave the States and live there. The Territory thus begun now contains the five civilized tribes viz: Cherokees, Creeks, Choctaws, Chickasaws and Seminoles, numbering over sixty thousand people, and some twenty other tribes and bands with a population of eighteen thousand, the total population thus equalling seventy-eight thousand.

The lands occupied by the five civilized tribes in the Indian Territory are not the gift of the Federal Government. They were bought and paid for by these Indians partly for cash, and partly by exchange for other lands in Georgia, North Carolina and other States. For their lands in the Indian Territory, the tribes received patents in fee-simple from the United States which are recorded in the Department of the Interior. They were urged to make this exchange and thus purchase their new home, both by the persuasion of the General Government and by the ruder and more aggressive measures pursued in Georgia and the other States, within which they were then living.

The greatest inducement of all held out to them was that they should be forever free from the jurisdiction of any State or Territory and should forever have the right of self-government. The United States engaged to protect them in all these rights forever.

#### THE CHOCTAWAS AND CHICKASAWS.

The treaty of 1830 with the Choctaw nation provides that the Federal Government shall "cause to be conveyed to the Choctaw nation, a tract of country west of the Mississippi river in fee-simple to them and their descendants, to inure to them while they shall exist and live on it." It was also provided that "the government and people of the United States are hereby obliged to secure to the Choctaw nation of red people the jurisdiction and government of all the persons and property that may be within their limits, so that no Territory or State shall have a right to pass laws for the government of the Choctaw nation, of red people and their descendants, and that no part of the land granted them shall ever be embraced in any State or Territory."

In 1855 a treaty was made with the Choctaws and Chickasaws which provided that, "the Choctaws and Chickasaws shall be secured in the unrestricted right of self-government and full jurisdiction over persons and property within their respective limits." Similar provisions will be found in other treaties with the Cherokees, Creeks, Chickasaws, Choctaws and Seminoles. These treaties have frequently been passed upon by the Supreme Court of the United States.

#### CHEROKEE NATION.

In the treaty of 1835 with the Cherokee nation is the following provision: "The United States hereby covenant and agree that the lands, ceded to the Cherokee nation in the foregoing article, shall in no future time, without their consent, be included within the territorial limits or jurisdiction of any State or Territory. But they shall secure to the Cherokee

nation the right, by their national councils, to make and carry into effect all such laws as they may deem necessary for the government and protection of the persons within their own country, belonging to their people or such persons as have connected themselves with them."

#### CREEKS AND SEMINOLES.

In the treaty of August, 1856, between the United States and the Creeks and Seminoles, this provision is contained: "The United States do hereby solemnly agree and bind themselves that no State or Territory shall ever pass laws for the government of the Creek or Seminole tribes of Indians, and that no portion of either of the tracts of country defined in the first and second articles of this agreement, shall ever be embraced or included within or annexed to any Territory or State, nor shall either or any part of either be erected into a Territory without the full and free consent of the legislative authority of the tribe owning the same."

#### SUPREME COURT DECISIONS.

In the case of *Cherokee Nation vs. the State of Georgia* (5 Peters 1), the Supreme Court held that the "acts of the government plainly recognized the Cherokee nation as a State, and courts are bound by these acts."

Again, in the case of *Worcester vs. State of Georgia* (6 Peters, p. 515), that court held that "the Indian tribes are distinct independent political communities."

#### SENATE JUDICIARY COMMITTEE.

As late as December 14, 1870, the Judiciary Committee of the United States Senate made a report, in which they use the following language:

"Volumes of treaties, Acts of Congress almost without number, solemn adjudications of the highest tribunal of the Republic and the universal opinion of our statesmen and people have united to exempt the Indian—being the member of a tribe re-

cognized by and having treaty relations with the United States—from the operation of our laws and the jurisdiction of our courts. Whenever we have dealt with them, it has been in their collective capacity as a State and not with their individual members, except when such members were separated from the tribe to which they belonged, and we have asserted such jurisdiction as every nation exercises over the subjects of another independent sovereign nation entering its territory and violating its laws.”

#### OKLAHAMA BILL.

During the rebellion a great portion of the civilized Indians entered the Confederate service. After the war new treaties were made. The rebels and the loyal Indians were treated alike—all were declared to have forfeited the protection of the United States and the right of self-government. A determined effort was then made to establish a territorial form of government for Indian Territory. This was strenuously opposed by all the five tribes. Finally in 1866 new treaties were made by which the United States again recognized these five tribes as separate and distinct political communities. The conclusions arrived at between the United States and these tribes were formulated in Article XII. of Cherokee treaty; Article VIII. of Choctaw and Chickasaw treaty; Article X. of Creek treaty and Article VII. of the Seminole treaty; and by them the political relations between the United States and these five tribes remained substantially unchanged. A General Council of the Territory was provided for, and the Indians agreed to form a Confederation amongst themselves with a General Council composed of representatives of all the confederated tribes, and no organic changes were to be made without the consent of the tribes to be affected.

The Cherokee treaty points out the method (See Art. XII, Sec. 3, treaty of 1866). “Nor shall said General Council legislate upon matters other than those above indicated. *Provided*, however, that the legislative power of such General Council may be enlarged by the consent of the National Council of

each nation or tribe assenting to its establishment with the approval of the President of the United States."

In September 1870 the General Council, to avoid confusion, passed a resolution adopting the Cherokee treaty as its organic law. Since then more than twenty tribes have joined the confederation.

Finally in 1879 the House Committee on Indian Affairs after reviewing the legal status of the Indian Territory, reported against a bill to establish therein a territorial government. They use the following language: "After a careful, thorough and impartial consideration of the subject, we find, in view of the peculiar relations to the Government sustained by the people therein, no authority which will justify but, on the contrary, we find much, in the many treaties with the Indians occupying and owning that Territory, in acts of Congress vesting and guaranteeing certain rights and immunities to them and in opinions of the Supreme Court of the United States interpreting, defining and sustaining the same, which expressly forbids, the legislation proposed."

#### PRESENT CONDITION OF THE FIVE CIVILIZED TRIBES.

A consideration of the actual condition of these people will present some astonishing facts to the reader and will thoroughly convince him that Indian civilization is a demonstrated fact.

All of these Indians dress like the whites.

They all live in houses.

The number of houses exceeds sixteen thousand, being more than one house to every four inhabitants.

In 1879 they built twenty-seven hundred houses, or about one to every twenty-two of the population.

They have nearly two hundred schools supported by their own money and without pecuniary aid from the Federal Government.

Twelve of these are boarding-schools.

The capacity of the schools is for eight thousand children.

Over six thousand do actually attend school.



It may be said that their schools afford accommodation for all children of school age. Both in accommodation and attendance, these figures compare very favorably with New York and Philadelphia. In neither of these cities can it be said that the public school accommodation is equal to the whole number of children of school age, and in neither does the actual public school attendance equal six-eighths of the entire number as in the case of the five civilized tribes. In 1879 they spent \$156,000 for educational purposes and the only contribution of the United States was \$3,500 for schools for freedmen. In this connection, it may be well to mention that the five tribes were extensive slave owners. They not only eventually emancipated all their slaves, but also gave them ample lands for their support. Of the whole number of Indians in these five tribes, more than one-half are able to read. They have also one hundred and thirty-one churches.

#### LOCAL SELF-GOVERNMENT.

Each of the civilized tribes enjoys complete autonomy. Their political situation—in so far as protection to life and property at the smallest cost and least encroachment on individual rights and prejudices is concerned—will compare very favorably with that of any State in the Union. Their institutions are suitable to their condition, and congenial to their ideas and habits. They differ in detail, but in the main features resemble the Governments of the States. The Executive, Legislative and Judicial functions are separate and distinct, and answer very well the objects of their institution. Some details concerning the Government of the Cherokee Nation will be interesting and will give a general notion of the Government of the civilized tribes. They cannot fail to impress the reader very vividly with the reality of Indian civilization.

## THE CHEROKEE GOVERNMENT.

This tribe has a written constitution.

## EXECUTIVE.

The Executive power is vested in a "Principal Chief." He approves the laws, nominates delegates to Washington,\* sheriffs and other officials (subject to confirmation by the Senate), and in many other respects his functions are very like those of a State Governor. There is also an Executive Council to assist the Principal Chief. The Executive may also prefer charges of impeachment, which are tried by the Council. Pending trial the Executive may suspend the official.†

The "National Solicitors of the several Districts"—the same as "District Attorneys"—are from time to time instructed and directed in their duties and their conduct supervised by official orders, directly emanating from the Principal Chief. It would be well if State Governors exercised similar functions. The duties of these officers are pointed out in carefully drawn statutes. Bids for public work and supplies are advertised for and contracts made with the lowest responsible bidder.

---

\*The following communication announces the confirmation of an appointment:  
No. 4.—SENATE CHAMBER, TALEQUAH, C. N., Nov. 15th, 1879.

*Hon. D. W. Bushyhead, Principal Chief, C. N.:*

I have the honor to inform you that your nomination of R. M. French, for the office of High Sheriff, was confirmed by the Senate. I have the honor to be your obedient servant,

S. H. BENGE, President of Senate, pro tem.

J. L. SPRINGTON, Clerk of Senate.

†Finding of the Council in an Impeachment case. It will be noticed that official etiquette is strictly observed in the relations between the different Departments of the Government.

No. 3.—COUNCIL CHAMBER, Nov. 14th, 1879.

*Hon. D. W. Bushyhead, Principal Chief, C. N.:*

SIR:—I have the honor to report you for the information of your Department that the charges against the Hon. J. L. Adair transmitted from your Department to the Council Branch of the National Council, charging the said John L. Adair with malpractice in office, for which he was suspended from office (as member and Secretary of the Board of Education) by Ex-Chief Charles Thompson, I would state that the charges have been fully and carefully examined by the Council, and that we have failed to find evidence to implicate the Hon. John L. Adair with malpractice in office as charged. Therefore by a majority vote of Council Branch of the National Council, said charges have not been sustained, and the Hon. John L. Adair acquitted of the charges preferred.

I have the honor to be very respectfully, your obedient servant,

D. R. HICKS, Clerk of Council.

OSIE HAIR, Speaker of Council.

## LEGISLATURE.

The Legislature is called the "National Council," and is divided into two bodies. One is called the "Senate," and is presided over by an officer styled a "President;" the other branch is called the "Council;" and has a "Speaker." Both bodies have "clerks," and the entire legislative machinery is the same as in the States.

The laws are published "by authority" in the official newspaper, called "The Cherokee Advocate," printed at Tahlequah, the capital of the Cherokee Nation. This paper is published weekly in English and Cherokee, and is free to all who read only the Cherokee tongue.

The National Council has general legislative powers. When an act is passed by the Council it is messaged to the Senate (or *vice versa*); either body concurs or non-concurs or amends, as the case may be, and communicates its action to the other body through formal written messages by their respective clerks.\* The National Council elects in Joint Convention the Supreme Judge, National Treasurer, Executive Council, Auditor of Accounts, etc.

Amongst the statutes passed by the National Council will be found penal laws which accurately define criminal offences and provide for their punishment. Also laws regulating the different branches of the Government and the rights and duties of citizens towards each other and the Cherokee Nation. Numerous permit and license laws are passed and generally all the usual legislation of the States. Private laws are enacted conferring citizenship or giving other privileges to the persons named therein. The

## \* RETURN OF JOINT CONVENTION.

No. 1, SENATE CHAMBER,  
TAHLEQUAH, C. N. }  
November 11th, 1879. }

Hon. D. W. Bushyhead, Principal Chief C. N.:

SIR: I have the honor to inform you that the following named persons were duly elected in joint session of the National Council, to fill the different offices, which appointments vest in the National Council, to wit: John Landrum, Supreme Judge; D. W. Lipe, National Treasurer; Johnson Spade, Daniel Red Bird, Chas. H. Armstrong, Executive Council; E. C. Boudinot, Editor of *Advocate*, Cornell Rodgers, Auditor of Accounts.

I am very respectfully, your obedient servant,

S. H. BENGE, President Senate, *pro tem*

J. L. SPRINGSTON, Clerk Senate.

National Council also provides for the ordinary expenses of the Government by regular appropriation bills.

#### JUDICIARY.

There is a Supreme Court and also local Circuit or District Courts, which have civil and criminal jurisdiction, with an appeal to the Supreme Court.

The National Cherokee Government is represented by District Solicitors, and individual suitors by attorneys admitted to practice. The decrees of the Courts are executed and some other local administrative functions are performed by the Sheriffs, whose advertisements of "Sales at the Court House" and other official matters, must be quite lucrative to the Government "organ."

The local Courts issue letters testamentary and of administration, appoint guardians and generally have the functions usually appertaining to Courts of Probate.

Coroners inquire into sudden and violent deaths and Grand Juries make presentments and prefer bills of indictment against criminals, who are confined in the national jail.

#### ELECTIONS AND CITIZENSHIP.

The elections are held under carefully prepared laws, which also define the powers of the persons to be elected.\*

#### \* PROCLAMATION.

##### SPECIAL ELECTION.

WHEREAS, Official notice of the death of J. Walker Daniels, member of the Senate branch of the National Council from Delaware District, C. N., and Ross T. Carey, Clerk of Delaware District, C. N., has been received, THEREFORE,

Be it known to all whom it may concern that I, D. W. Bushyhead, Principal chief of the Cherokee Nation, by virtue of the authority in me vested by law, do hereby, in the name and by the authority of the Cherokee Nation issue this my proclamation, ordering that a Special Election be held in Delaware District, C. N., on the second Monday (10th day) in the month of May, 1880, for the purpose of electing one member to the Senate branch of the National Council, to fill the vacancy in that office, caused by the decease of the late Hon. J. Walker Daniels, and the term of which office will expire on the first Monday in November 1881.

As also for the purpose of electing one clerk for Delaware District, C. N., to fill the vacancy in that office, caused by the decease of the late Ross T. Carey, clerk, etc., and the term of which office will expire on the third Monday in November, 1881. And directing the present temporary clerk of said Delaware District to give such notice thereof as the law requires, in accordance with chapter VIII, art. I, revised code of laws,

Citizenship is sometimes conferred by special act of the legislature. In other cases the applicant must first have his claims examined by the Commissioners on Citizenship, who are nominated and appointed by the Principal Chief subject to the confirmation of the Senate. The care thus shown by the Cherokees in the matter of citizenship, presents a marked contrast to the loose methods prevalent in the States.

Under the Constitution a decennial census is taken.

#### SCHOOLS—MISCELLANEOUS.

The schools are governed by a Board of Education which appoints teachers. They keep regular books, minutes of proceedings, regulate text-books, and all other matters connected with the administration of the schools. There are primary and high schools or advanced seminaries for boys and girls. There are one hundred and two schools and two high schools, and an Indian University school, also Sunday schools and singing schools. There is an orphan asylum, and one for blind and insane persons, aged, infirm and unfortunate generally. These are supported from regular appropriations made by the National Council.

#### MEDICAL BOARD.

A Medical Examining Board, appointed by the Principal Chief, meets at the Capitol, Tahlequah, on the second and fourth Wednesday of each month. There are many places in the East where such a Board would be a great public boon.

---

and the said district clerk is hereby notified, and required, to do such things as the law directs for the holding of such an election: *Herein fail Not.*

In testimony whereof, I have hereunto set my hand, and caused the seal of the Cherokee Nation to be affixed at Tahlequah, C. N., on this 16th day of April, A. D., 1880.  
[Seal.]

D. W. BUSHYHEAD,  
Principal Chief.

By the Principal Chief.

WM. F. RASMUS, Ass't Exec. Sec'y, C. N.

## SHAMEFUL RECORD OF THE FEDERAL GOVERNMENT.

Gen. Harney once testified before a Congressional Committee : "I have lived on this frontier fifty years, and I have never known an instance in which war broke out between us and these tribes that these tribes were not in the right." Indeed it cannot be denied that, for bold, unblushing fraud, for a total disregard of repeated promises, for alternate weakness, cruelty and treachery, the Federal Indian record beggars description. The coarse moral fibre of the government officials has only beensurpassed by a lack of the remotest trace of moral perceptions on the part of the border settlers, and to this must be added long years of total indifference in the whole nation. The record is shameless to the last degree. Even some of the general officers of the regular army have covered themselves and their country with infamy by their active participation in (or effusive laudation of) some of the most cold-blooded, treacherous and cowardly massacres, which disgrace the annals of the nation. History will pillory their names.

If the reader is indisposed to credit this statement, let him read the details which will now be given, showing some of the salient points in the Indian record of the last thirty years.

## SIOUX WAR, 1852-3 -4.

It seems incredible, yet it is nevertheless a perfectly well authenticated fact, that this war was brought about through the loss of a cow by a Mormon emigrant. An emigrant train was going through the Sioux country to Utah. A cow belonging to these people was lost and found by the Indians, who killed and ate it. These Indians were living in perfect peace and no trouble whatever existed concerning them. When the Mormons discovered what had become of the cow, they preferred a formal complaint to the officer in command at Fort Laramie, A lieutenant and a few men were sent to demand a return of

the cow. These Indians offered to pay for it, but the indiscreet officer refused to accept this fair proposal and demanded the surrender of the one who had taken the cow. This demand the Indians professed not to be able to comply with. It seems almost impossible to believe it, yet, without further parley or other provocation, the word was given to fire and the chief was killed. The troops were immediately surrounded, and every man instantly slain. This began a war which lasted nearly three years, and cost hundreds of soldiers' lives. The government spent \$40,000,000 in this disgraceful conflict, and when it was over its relations with the Indians were more unfavorable than when it was begun.

#### LATER SIOUX HISTORY.

The subsequent history of the Sioux is best given in the Reports of Peace Commissions, 1868-76. "In 1851,\* the vast emigration to California across the Indian Territory made a new treaty necessary. This was made at Fort Laramie in September, 1851, between the United States and Sioux or Dakotas, the Cheyennes, Arapahoes, Crows, Assinaboines, Gros Ventres, Mandans and Arickarees, residing south of the Missouri River and east of the Rocky Mountains, and north of the boundary lines of Texas and New Mexico. This treaty establishes and confirms peaceful relations; the Indians agree to abstain from all hostilities against each other. They concede to the United States the right to make military or other roads across their territory, and they agree to make full restitution for any wrongs committed by them upon the citizens of the United States while passing through their territories. The Government agrees to pay to these Indians the annual sum of \$50,000 for fifty years. *The Senate amended the appropriation by limiting it to ten years. This amendment was never submitted to the Indians!* They believed that the original treaty was in force. \* \* \* It is believed that this was the cause of the Powder River war."

---

\* Report of the Sioux Commission, 1876, in appendix to Report of Commissioner of Indian Affairs for 1876, p. 334-347.

The conflicts growing out of the bad faith shown in this matter, led to the formation of a Government Commission composed of Generals Sherman, Harney, Terry, and Augur, and several civilians. They reported that the government was the cause of the war.

They say: "If the lands of the white man are taken, civilization justifies him in resisting the invader. Civilization does more than this—it brands him as a coward and a slave if he submits to the wrong. Here civilization made its own compact and guaranteed the rights of the weaker party. It did not stand by the guarantee. The treaty was broken, but not by the savage. If the savage resists, civilization, with the Ten Commandments in one hand and the sword in the other, demands his immediate extermination. That he goes to war is not astonishing. He is often compelled to do so. Wrongs are borne by him in silence that never fail to drive civilized men to deeds of violence. Among civilized men war usually springs from a sense of injustice. The best possible way, therefore, to avoid war is to do no act of injustice. When we learn that the same rule holds good with the Indians, the chief difficulty is removed. But it is said that our wars with them have been almost constant. *Have we been uniformly unjust?* We answer unhesitatingly, 'yes.'"

This commission, after full consultation with the Indians and the government, made another "new treaty." It guaranteed the right of the Indians to hunt in the Powder River country, pledged aid to the nomadic Indians, and also made provision for those who remained on reservations, to help them to become self-supporting. This treaty, after full discussion, was ratified by the Senate and approved by the President.

In November, 1868, General Harney, a member of the Commission which made this treaty, then in charge of the Sioux Indians, reported: "I am perfectly satisfied with the success which has attended the commencement of this work, and can unhesitatingly declare, that, to secure perpetual peace with the Sioux Indians, it is only necessary to fulfill the terms of the treaty made by the peace commission."



## SHERIDAN'S WANTON ORDER.

Notwithstanding this favorable report of General Harney, the following unjust and arbitrary order was issued on June 29, 1869, by General Sheridan: "All Indians, when on their proper reservations, are under the exclusive control and jurisdiction of their agents; they will not be interfered with in any manner by the military authority except upon requisition of the special agent resident with them, his superintendent, or the Bureau of Indian Affairs at Washington. Outside the well-defined limits of the reservation, they are under the original and exclusive jurisdiction of the military authority, *and as a rule will be considered hostile.*"

This wanton and brutal order of Gen. Sheridan was in direct violation of the terms of the treaty, which recognized the right of these Indians to hunt on the unceded territory, and Congress had, in the session immediately prior to the issuing of this order, appropriated \$200,000, to be used, in part, for the payment of the seventh of thirty instalments "for Indians roaming!"

*It described  
the territory  
on which they  
might hunt  
which was  
practically a  
reservation,  
from which  
white men  
were excluded.*

## CUSTER, BLACK HILLS, (1874.)

In 1874 followed the Custer expedition in the Black Hills. This onslaught was in direct, open and inexcusable violation of the very plainest provisions of the treaty. But gold had been discovered in the Black Hills, and the Government not only made no effort to keep faith with the Indians, but its own officers and men were conspicuous in their flagrant violation of the national engagements. Speaking of the subsequent hostilities, the "Report of the Sioux Commissioners" continues (page 342): "Of the results of this year's war, we have no wish to speak. It is a heart-rending record of the slaughter of many of the bravest of our army. It has not only carried desolation and woe to hundreds of our own hearth-stones, but it has added to the cup of anguish which we have pressed to the lips of the Indian. We fear that when others shall examine it in the light of history, they will repeat the words of the officers who penned the re-

port of 1868: 'The results of the year's campaign satisfied all reasonable men that the war was useless and expensive. To those who reflected on the subject, knowing the facts, the war was something more than useless and expensive; it was dishonorable to the nation and disgraceful to those who originated it.'" The Commissioners add their own judgment: "We hardly know how to frame in words the feelings of shame and sorrow which fill our hearts as we recall the long record of broken faith of our Government." (page 343). "It is an eternal law of the government of God, that whatsoever a nation sows, that, and nothing but that, shall it reap. If we sow broken faith, injustice and wrong, we shall reap in the future as we have reaped in the past, a harvest of sorrow and blood" (page 346). \* \* "We are aware that many of our people think, that the only solution of the Indian problem is in their extermination. We would remind such persons that there is only One who can exterminate. There are too many graves within our borders, over which the grass has hardly grown, for us to forget that God is just. The Indian is a savage, but he is also a man. He is one of the few savage men who clearly recognize the existence of a Great Spirit. He believes in the immortality of the soul. He has a passionate love for his children. He loves his country. He will gladly die for his tribe. Unless we deny all revealed religion, we must admit that he has the right to share in all the benefits of divine revelation. He is capable of civilization. Amidst all the obstacles, the wrongs and evils of our Indian policy, there are no missions which show richer rewards. Thousands of this poor race, who were once as poor and degraded as the wild Sioux, are to-day civilized men, living by the cultivation of the soil, and sharing with us in those blessings which give to men home, country and freedom. There is no reason why these men may not also be led out of darkness into light."

## THE MESCALAROS.

## GENERAL CARLETON'S RECORD.

In January, 1867, a Joint Congressional Committee on Indian Affairs, after a long investigation, reported unanimously against transferring the Indian Bureau to the War Department. In pursuing their inquiries, they requested information and suggestions from many persons, amongst others, one James H. Carleton, Brigadier General, commanding department, New Mexico. The inquiries addressed to this person embraced the whole field of Indian affairs. His reply is lengthy, but the following sentiment is characteristic. After giving several other causes why, in his opinion, the Indians were dying out, he adds—by way of climax—"the causes which the Almighty originates, when in their appointed time, He wills that one race of men—as in races of lower animals—shall disappear off the face of the earth, and give place to another race and so on in the great cycle traced out by Himself, which may be seen, but has reasons too deep to be fathomed by us. The races of the mammoths and mastodons and the great sloths came and passed away. The red man of America is passing away!"

This same person \* also unearthed for the benefit of the committee, his own "record," consisting of his correspondence in "relation to Indians, Indian wars, etc., etc., within my official jurisdiction and controlled by myself." He adds: "I point to this record of over three years of anxiety and toil, mostly on their (Indians,) account, as one of which I do not feel ashamed!" This correspondence might have remained buried in the tons of wasting matter in the War Department, but their author being a victim of moral obliquity and having a morbid desire to exhibit himself in print, managed to induce the committee to spread this "record" of his over more than two hundred pages of their report! From the extracts which will here be given, it will be seen what this person was doing in a small way, to help Providence, in order that the red man might be quicker in "passing away." The dates are of orders

---

\* Appendix to Doolittle Report, p. 432-3.

to subordinate officers, operating against Indians at different places, and show a deliberate plan to exterminate this tribe.

"Oct. 11, 1862. 'Confidential' letter to Colonel J. R. West. "There is to be no council held with the Indians, nor any talks. *The men are to be slain whenever and wherever found.*"

Oct. 12, 1862, to Col. Carson. "You will make war upon the Mescalero and *all other Indians you may find* in the Mescalero country until further orders. *All Indian men are to be killed whenever and wherever you can find them.* \* \* \* If the Indians send a flag of truce and desire to *sue for peace*, say to them, *you have no power to make peace*, that you are there to *kill them wherever you can find them.*"

April 10, 1863, he instructed the commanding officer at Fort Stanton, that he "*be sure to have slain every Mescalero who may be met with at large in the vicinity of his post.*"

May 13, 1863, he wrote to Gen. Halleck, General-in-Chief at Washington, in relation his (Carleton's) efforts to open up the country to farmers and miners by an "effort to brush back the Indians." He then adds; "If I had one more good regiment of California infantry, composed as that infantry is of *practical miners*, I would place it in the Gila country. *While it would exterminate the Indians*, who are a scourge to New Mexico, it would protect people who might wish to go there to open up the country."

July 5, 1863, he directs Col. West, "to proceed with great caution, without noise of trumpets or drums, or loud talking, or the firing of guns, except in battle, to march silently, mostly by night, to build fires of dry twigs, that no smoke may arise from them, to have no fires by night, *to kill every Indian man they can find.*"

August 16, 1863, to Col. Riggs. "The troops must be kept after the Indians, not in big bodies, with military noises and smokes, and the gleam of arms by day, and fires and talk, and comfortable sleeps by night; but in small parties, *moving stealthily* to their haunts and *laying patiently in wait for them*; or by following their tracks day after day, with a fixedness of purpose that never gives up \* \* \* If a hunter

goes after deer, he tries all sorts of wiles to get within gun shot. An Indian is more watchful and wary animal than a deer."

Sept. 13, 1863, he wrote to Postmaster General Blair, and Sept. 20, 1863, he wrote a long letter to Secretary Chase. After lamenting that the California column "have not had the good fortune to strike good hard honest blows for the old flag, they have, at least, been instrumental in helping to find gold to pay the gallant men who have had the honor." He followed this up by inviting miners to come into the country under a promise of military protection, although he well knew, that so far from inviting them, it was his duty to expel them as trespassers.

#### THE CHIVINGTON MASSACRE.

This was the subject of a very extended investigation by a Congressional Committee, and in the official report and accompanying testimony the ghastly story is told in sickening detail.

In the summer of 1864 the Governor of Colorado (being *ex-officio* Indian Superintendent) issued a proclamation against hostile Indians, inviting all friendly Indians to avoid the former, and repair to certain posts for protection and food. This language was used: "Friendly Arapahoes and Cheyennes belonging to the Arkansas river, will go to Major Colley, United States Indian agent at Fort Lyon, who will give them provisions and show them a place of safety." In pursuance of this invitation, some six hundred Cheyennes reported to Major Colley at Fort Lyon, and remained there until November 28th. During the interval there were no outrages, and the Indians behaved so quietly that Major Anthony, who was sent with orders to attack them, on reaching Fort Lyon declined to fight them and directed them to remain at Sand Creek until he could communicate with Gen. Curtis. Whilst the Indians were at Sand Creek, one J. M. Chivington, who had been Colonel of 3rd regiment of Colorado Cavalry, started upon an expedition against the Indians with one thousand men. He arrived at Fort Lyon Nov. 28th. It became immediately known that he and his command had hostile designs on the Indians camped at Sand Creek. At this time most of the braves were absent, and there were in camp about six hundred Indians, the majority

being squaws and old men and children. As soon as Chivington's intention was ascertained, every one at Fort Lyon, soldier and civilian, openly denounced it. Chivington knew that these Indians had come to Fort Lyon under the Governor's invitation (and was present at a council preparatory to their coming,) he also knew that they had been for months living upon the most friendly terms with the whites, and that it would be an inexcusable atrocity to attack them. Notwithstanding all these considerations this inhuman wretch, that same night attacked these defenceless old men, women and children, and cruelly massacred about seventy of their number, of whom two-thirds were women and children. Unheard of cruelties were perpetrated and the dead bodies were mutilated with nameless barbarity. Individual instances are attested by numerous witnesses, the details of which seem absolutely incredible, and are unfit to print. These cruelties were directly caused by Chivington. Major Wynkoop testified to his inciting his troops thereto previous to the slaughter. "Commencing, he addressed his command, arousing in them by his language, all their worst passions, urging them on to the work of committing all these diabolical outrages, knowing himself all the circumstances of these Indians resting on the assurances of protection from the Government, given them by myself and Major S. J. Anthony, he kept his command in entire ignorance of it. \* \* \* Col. Chivington is not my superior officer, but a citizen mustered out of the United States Service, and at the time this inhuman monster committed this unprecedented atrocity, he was a citizen by reason of his term having expired, he having lost his regulation command some months previously."

Another witness testified that he was present "and that during the massacre he saw three squaws and five children prisoners, in charge of some soldiers; that while they were being conducted along, they were approached by Lieut. Harry Richmond, of 3rd Colorado Cavalry; that Lieut. Richmond thereupon immediately killed and scalped the three women and five children while they (the prisoners) were screaming for mercy, while the soldiers,

in whose charge they were, shrank back apparently aghast." The mutilation of the remains of the dead women and men, and all the facts here given are established by numerous witnesses. Most of the dead were scalped, and some had their fingers cut off for the rings that were on them. It was testified that Major Sayre, of 3rd (Chivington's) regiment, "scalped an Indian for the scalp-lock, ornamented by silver ornaments; he cut off the skin with it. He stood by and saw his men cutting fingers from dead bodies."\*

Another witness swore:† "Next morning after the battle, I saw a little boy covered up among the Indians in a trench, still alive. I saw a Major in the 3rd regiment take out his pistol and blow off the top of his head." Another witness‡ details the attack by Chivington upon the Indians as they were gathered around an American flag and a white flag of truce within fifty yards of him. When fired on the Indians ran. "After the firing the warriors put the squaws and children together and surrounded them to protect them. I saw five squaws under a bank for protection. When the troops came up they ran out and begged for mercy, but the soldiers shot them all. I saw one squaw whose leg had been broken by a shell; a soldier came up with a drawn sabre; she raised her arm to protect herself, when he struck, breaking her arm. Then she rolled over and raised her other arm, when he struck, breaking that, and then left her without killing her. There seemed to be an indiscriminate slaughter of men, women and children. There were some thirty or forty squaws, collected in a hole for protection; they sent out a little girl, about six years old, with a white flag on a stick; she had only proceeded a few steps when she was shot and killed. All the squaws in that hole were afterwards killed, and four or five bucks outside. The squaws offered no resistance. Every one I saw dead was scalped. \* \* \* I saw a little girl about 5 years of age who had been hid in the sand; two soldiers

---

\*Lucien Palmer's testimony, *ibid.*, p. 74.

†Amos C. Miksch's (corporal) testimony, p. 74.

‡Robert Bent, p. 96.

discovered her, drew their pistols and shot her, and then pulled her out of the sand by the arm. I saw quite a number of infants in arms, killed with their mothers."

After all these horrible details were officially reported to Congress, what did the Federal Executive do? Nothing!

What did Congress do? Congress, in its own peculiar way, did much. It appointed a Committee. The Committee appointed a Sub-Committee. It appointed clerks. It appointed stenographers. It travelled. It subpoenaed numerous witnesses. It paid mileage, witness fees and hotel bills, and numerous incidental expenses. It took enormous masses of testimony. Then the Government printer appeared, and printed endless copies of a large volume, containing the report and testimony which recited these deeds in all their naked deformity. Then the members of Congress scattered it broadcast over the land to feed the paper mills, along with the Agricultural and Patent Office Reports. All this was a careful, methodical, expensive preparation for—nothing! Finally, Congress—adjourned. And this was the end of the chapter. To this day this foul wrong is unavenged. No man, not even Chivington or Richmond, was ever punished!

The results of this unpunished massacre were told these words, in a speech in Congress, in 1876, by Prof. Seelye of Amherst College: "The Cheyennes and Kiowas and Comanches were all inflamed, and conflagration, death and pillage reigned along our borders. It took two years to stop this terror, during which time (besides the immense loss to private individuals of property and life), it cost the Government \$35,000,000 and many lives of soldiers, while, leaving out the Sand Creek massacre, only twenty Indians all [told were slain. In 1865 a treaty of peace was made, but in 1867 war broke out again among the Cheyennes."

#### HANCOCK'S ATTACK.

How hostilities broke out again is told in a communication from the Indian Bureau to the House of Representatives, in



July, 1867. The whole shameful story is told in one paragraph :

"In April, 1867, the Cheyennes, who had been at peace since the treaty of 1865, were quietly occupying their village on the grounds assigned to them by that treaty, when a military command, under Maj. Gen. Hancock, without any known provocation, burned down the homes of 300 lodges, including about 100 lodges of friendly Sioux; and all their provisions, clothing, utensils, and property of every description, property being destroyed to the value of \$100,000. The result of this was another war for nearly two years, the loss of the lives of over three hundred soldiers, and a cost of nearly \$40,000,000."

#### THE MASSACRE OF BLACK KETTLE'S VILLAGE.

This achievement is called by Generals Sherman, Sheridan and Custer by the more euphonious name of the "Battle of the Washita," and is another instance showing to what military haste and want of judgment lead. In the fall of 1868, Gen. Sheridan set out to punish the hostiles who had committed outrages on the Saline and Solomon Rivers in Kansas, in the preceding summer. Instead of punishing the guilty ones, Gen. Custer was sent forward, and attacked unawares the nearest Indians, being Black Kettle's village of friendly Indians. He had volunteers from Kansas and Indian allies. The attack was unexpected, and was a wanton butchery of friendly Indians.

#### THE FACTS.

Col. Wynkoop, late agent for Cheyennes and Arapahoes, wrote to the Commissioner of Indian Affairs in Jan., 1869, as follows: "I am perfectly satisfied that the position of Black Kettle at the time of the attack upon his village, was not a hostile one. I know that he had proceeded to the point at which he was killed with the understanding that it was the locality where those Indians who were friendly disposed should assemble. I know that such information had been conveyed to Black Kettle, as the orders of the military authorities, and

that he was also instructed that Fort Cobb was the point that the friendly Indians would receive subsistence at. \* \* \*

In regard to the charge that Black Kettle was engaged in the depredations committed on the Saline and Solomon, during the summer of 1868, I know the same to be utterly false, as Black Kettle, at that time, was camped near my agency on the Pawnee fork." This view is confirmed by Superintendent Murphey, who wrote—December 4th, 1868—to the Commissioner of Indian Affairs, as follows: "I found in the public journals Gen. Sheridan's report of what he calls 'the opening of the campaign against the hostile Indians,' the perusal of which makes one sick at heart. Had these Indians been hostile, or had they been the warriors who committed the outrages on the Solomon and Saline rivers in August last, or those who subsequently fought Forsyth and his scouts, no one would rejoice over this victory more than myself. But who were the parties thus attacked and slaughtered by Gen. Custer and his command? It was Black Kettle's band of Cheyennes. Black Kettle, one of the best and truest friends the whites ever had among the Indians of the plains." Months later this view was corroborated, in July, 1869, by Gen. Augur. This officer, in reporting to Gen. Sheridan the operations of Gen. Carr against a camp of "Dog Soldiers and Cheyennes," says: "The prisoners report it to be the only body of Indians known on the Republican. It is the same that fought Forsyth and all other parties on the Republican last year."

Now let us examine the

#### SHERIDAN-CUSTER VERSION.

of what they saw fit to call the "Battle of the Washita." Take Gen. Sheridan's report to Gen. Sherman: "I have the honor to report for the information of the Lieutenant General, the following operations of Gen. Custer's command. On 23d of November, I ordered Gen. Custer to proceed with eleven companies of his regiment of seventh cavalry in a southerly direction toward the Antelope Hills,

in search of hostile Indians. On 26th, he struck the trail of a war party of Black Kettle's band returning from the north.

\* \* \* He at once abandoned his wagons and followed in pursuit over the head-waters of the Washita, and thence down that stream, and on the morning of the 27th, surprised the camp of Black Kettle, and after a desperate fight, in which Black Kettle was assisted by the Arapahoes under Little Raven, and the Kiowas under Satanta, captured the entire camp, killing the Chief, Black Kettle, and one hundred and three warriors, whose bodies were left on the field, all their stock, ammunition, arms, lodges, robes, and fifty-three women and three children." Gen. Custer's own report states some further particulars: "There never was a more complete surprise. My men charged the village, and reached the lodges before the Indians were aware of their presence. The moment the charge was ordered, the band struck up 'Garry Owen,' and with cheers that strongly reminded me of scenes during the war, every trooper, led by his officer, rushed toward the village. The Indians were caught napping for once. The warriors rushed from their lodges and posted themselves behind the trees and in the deep ravines, from which they began a most determined defence. The lodges and all their contents were in our possession within ten minutes after the charge was ordered; but the real fighting—such as has rarely been equaled in Indian warfare—began when attempting to clear out, or kill the warriors posted in ravines or underbrush."

\* \* \* "The Indians left on the ground and in our possession 103 of their warriors, including Black Kettle himself, *whose scalp is now in the possession of one of our Osage guides*. We captured 875 horses, ponies and mules. \* \*

(Here numerous stores, clothing, etc., are mentioned.) "In addition, we captured all their winter supply of buffalo meat, all their meal, flour, and other provisions, and in fact everything they possessed, even driving their warriors from the village with little or no clothing. We destroyed everything of value to the Indians, and have now in our possession as prisoners of

war (?) *fifty-three squaws and their children!*"\* Noble achievement! Women and children killed, and others prisoners of war! Not one warrior prisoner! *All were killed.*

A New York *Herald* reporter gives an account of the return of Gen. Custer to headquarters with his savage allies: "In advance were the Osage trailers. \* \* Their faces were painted in the most fantastic and hideous designs. \* \* About their persons were dangling the trophies which they had captured in the battle. Spears, upon which were fastened the scalps of their fallen foes. \* \* Even the animals the Osages bestrode were decorated with scalps, and strips of red and blue blankets. \* \* Conspicuous in this party was the young Osage warrior Koom-la-Manche, (Trotter.) It was he who, under the impulse of the highest ambition of Indian valor, singled out the great Chief, Black Kettle, the terror of all the Osages, as his victim. After a severe conflict, he reached the crowning point of his efforts, and bore away the ghastly scalp of the terrible Chief as the trophy attaching to his success. With a mark of special attention, this scalp was carefully and fantastically decorated, and hung prominently among the most sacred possessions of the young warrior." \*  
\* "Next came Gen. Custer riding alone. \* \* Next followed the living evidences of the victory—over *fifty squaws and their children!* \* \* That night the Osage allies gave a scalp dance. \* \* The scene was one of savage effect. The burning logs in the centre, the Indians painted and attired in war costume, \* \* performed their mysterious contortions of the body, and whooped wildly as if about to engage their foe. Many of our officers and soldiers, among the former, Generals Sheridan and Custer, witnessed this scene, and remained until a late hour."

#### THE PIEGAN MASSACRE BY COL. BAKER, MONTANA (1869).

Hostilities in Montana were begun by Acting-Governor Meagher, without authority of any kind, enlisting 1,000 men

---

\* "In the excitement of the fight, as well as in *self-defence* (?), it so happened, that some of the squaws and a few of the children " were killed and wounded."

for a general raiding expedition on the Indians, the soldiers (!) being promised whatever plunder they got and a liberal scalp reward. The Bloods and Blackfeet were friendly, as were the Piegans, except the band of Mountain Chief, which had retaliated on Meagher's brigands, and had since moved north into Canada, in the summer and fall of 1869. This was shown conclusively by the official reports of Gen. Sully (then Supt. of Indian Affairs in Montana), of Lieut. Pease (the then agent of the Blackfeet), and of Gen. DeTrobriand.\* After these reports were in, General Sheridan, on Oct. 21, 1869, asked permission to send an expedition against *Mountain Chief's band of Piegans*. He named January 15th, 1870, as the time, giving as a reason that they would then "be very helpless, and if where they live is not too far from Shaw or Ellis, we might be able to give them a good hard blow." On Nov. 9th, 1869, General Sherman approved of this, and on Nov. 15th, 1869, General Sheridan so advised Gen. Hancock, and *of his own motion added*, "any of the Blackfeet who may have been engaged in the murders and robberies lately perpetrated in Montana." Sheridan named Col. Baker as the proper man to take command of the expedition, and adds: "*I spoke to him on the subject as he passed through Chicago.*"

Gen. DeTrobriand had, from the spot, reported officially on these matters, and Col. Baker knew nothing but what was told him. On Jan. 16th, 1870, Sheridan advised Gen. Hardie: "If the lives and property of the citizens of Montana can best be protected by striking Mountain Chief's band of Piegan Indians, I want them struck. Tell Baker to strike hard." In reply Hardie said: "I think chastisement necessary. *In this Col. Baker concurs. He knows the General's wishes.*" \* \* Col. Baker may be relied on to do all the General wished."

*At this time Mountain Chief's Piegans were in Canada! But*

\* This officer gives the outrages in detail, viz: the killing of two whites and four Indians and "the murder of Mr. Clark and attempted murder of his son by Piegans, under Peter, an Indian brother-in-law of Mr. Clark, the sons of Mountain Chief, Bear Chief, and others unknown." This he declares to have been a "family quarrel." He further reported that the Blackfeet, Pend d'Orilles, Bloods, and even part of the Piegans "have nothing to do with the attacks on persons and property of whites; that they want no war, but peace, and that they are ready to come and stay on whatever reservation may be assigned to them."

a victim was needed and at hand; and, in lieu of them, the nearest Indians, a friendly village of Bear Chief and Red Horn, (then suffering terribly from small-pox, and wholly ignorant of their danger,) was surprised, their lodges burned, one hundred and seventy-three men, women and children butchered by the troops, and one hundred prisoners (women and children) some having the small-pox, *were turned loose to freeze upon the open prairies, the thermometer being below zero!* Colonel Baker knew perfectly well that these were not Mountain Chief's Indians, because in his report he adds that afterwards, "I marched after the camp of Mountain Chief, who, I understood, was camped four miles below. After marching sixteen miles I found a camp of seven lodges that had been abandoned in great haste, leaving everything. \* \* \* \* \*

The result of the expedition is, 173 Indians killed, 100 prisoners, women and children, (these were *allowed to go free*, as it was ascertained some of them had the small-pox), 44 lodges with all their supplies and stores destroyed, and 300 horses captured."

It will be remembered that the permission from headquarters was to attack Mountain Chief's band of Piegans. Notwithstanding this, Gen. Sheridan, Jan. 29th, 1870, in forwarding Col. Baker's report, treats it as "a compliance with your (Sherman's) permission of Nov. 4th, 1869, to punish Piegan Indians." Col. Baker's leaving 100 women and children (some sick with small-pox,) to freeze to death on the prairies was too much even for Gen. Sheridan; so in a further despatch to Gen. Sherman, dated Jan. 31st, 1870, he volunteered to cover up this brutal transaction by reporting that "Col. Baker had to turn loose over one hundred squaws. He had no transportation to get them in."\* Gen. Sherman replied in effusive commendations.

#### THE FACTS.

Soon, however, the truth came out, and with it all the ghastly details of this cowardly butchery of friendly, unsuspecting, and

---

\* Colonel Baker, at the time and on the spot, did not make any such excuse. This was an after-thought, resulting from the merciless castigation of the civilized Press. If these women and children had been left under their own shelter they would have wanted no transportation.

innocent sick men, women and children. Col. Baker reported 173 Indians killed. *The public were meant to be deceived into believing that they were all warriors*, but Lieut. Pease, in an official report to Gen. Sully, gives the facts: "The 173 Indians killed were classified thus:

*Thirty-three men, viz:*

15	men	between	15	and	37	years	of	age.
10	"	"	37	and	60	"	"	
8	"	"	60	and	70	"	"	

*Ninety women, viz:*

35	women,	between	12	and	37	years	of	age.
55	"	"	37	and	70	"	"	

*Fifty-five children under 12 years of age.*

"At the time of the attack this camp was suffering severely with small-pox, having had it among them for two months." When the details of this shameful butchery became known the Press resounded with denunciations; but no word of reproach ever came from Gen. Sheridan, or from Gen. Sherman, or from any one else, from the President down. Indeed, Gen. Sherman was as exaggerated as ever in his praises, and Gen. Sheridan reiterated his approval. The former affected not to believe the massacre stories; but eventually the truth had to be admitted, and still no sign of retribution came from either Sherman or Sheridan; on the contrary they both abused Gen. Sully and Lieut. Pease for telling the truth—the horrid, naked, startling truth of this villainous and knowing butchery of sick and friendly Indians. Both of these officers furnish an explanation in their own words: Said Gen. Sheridan (March 18th, 1870), to Gen. Sherman: "I have to select the season when I can catch the fiends, and if a village is attacked, and women and children killed, the responsibility is not with the soldiers, but with the people whose crimes necessitate the attack." Gen. Sherman's "Indian Views" had already been succinctly stated in 1866, as follows: "We must act with vindictive earnestness against the Sioux, even to their extermination, men, women and children. Nothing less will reach the root of the case."

Commenting on these fearful massacres, Prof. Seelye, of Amherst, (in Congress), well said, speaking of Generals Sherman and Sheridan and the others: "And what shall be said of the Piegan massacre and the massacre at Washita and Powder Creek, or of the Lieutenant-General and Major-General and Brigadier-General and Colonel by whom these deeds were done? I never heard any of these men called Methodist preachers, ministers, or any other than officers of the regular army, regularly bred. These deeds are only equalled in horror, and some of them are hardly surpassed by that at Sand Creek [Chivington], and are a blot of damning infamy, not only on the guilty perpetrators, but upon the War Department which still sustains the men who did them."

#### GENERAL ORD'S RECORD (1869).

In September, 1869, in his annual report, Gen. Ord, in substance stated, that he had 2200 men under him, in Arizona, at an annual cost to the Government of \$3,000,000. He adds significantly: "Almost the only paying business in the country is supplying the troops. \* \* \* \* And I am informed in every quarter that if the quartermasters and paymasters of the army were to stop payment in Arizona, a great majority of the white settlers would be compelled to quit. *Hostilities are therefore kept up with a view to supporting inhabitants, most of whom are supported by the hostilities.* Of course their support being derived from the presence of troops, they are continually asking for more. There was in Arizona, January 1st, 1869, according to the Army Register, not a single army post or soldier, and there was then more travel across the Southern portion of the Territory than now, more need of troops there, and more Indians." With these facts staring him in the face he still went on with the extermination policy, and (emulating Gen. Carleton) himself reports: "I have encouraged the troops to capture and root out the Apaches by every means in my power, and to hunt them as they would wild animals. This, they have done with unrelenting vigor. Since my last report over two



hundred have been killed, generally by parties who have trailed them for days and weeks, into the mountain recesses, over snows, among gorges and precipices, lying in wait for them by day and following them by night. Many villages have been burned.

\* \* \* Many of the border men, especially those who have lost friends or relations by them, regard all Indians *as vermin to be killed wherever met.* \* \* \* The Apaches have but few friends, and, I believe, no agent. Even the officers, when applied to by them for information, cannot tell them what to do. There seems to be no settled policy, but a general idea to kill them, wherever found. I am a believer in that if we go for extermination."

Here is a "Christian Soldier," who reports in effect that no troops are needed, and that hostilities are kept up so as to support the white population, yet encourages his troops in cowardly and stealthy murder of Indians, though his own officers, when applied to, cannot tell them what to do. Was there ever a more damnable and infamous verdict penned by a man on himself and the War Department, than this cold-blooded report?

#### APACHE MASSACRE AT CAMP GRANT.

At Camp Grant, in Arizona, early in 1871, a small Indian settlement was established. At first it consisted of twenty-five Apaches, under a young chief who came to Lieutenant Whitman, in command, stated that his band desired peace, that they had no homes and could make none, because wherever they located they were in constant fear of molestation. This officer advised them to go to the White Mountains, but the young chief replied that his people had never lived there, had never been connected with the Indians in those mountains. They were Aravapa Apaches, wanted to live in the home of their fathers and raise corn and mescal. Lieut. Whitman permitted this band to remain near his post, provisionally promising to protect them while he communicated with his superior officer. In pursuance of this arrangement, runners were sent out, and about March 1st, three hundred Indians were gathered at Camp

Grant. Lieut. Whitman made a detailed report of the condition of affairs, which he sent by express to the department commander, and asked for specific instructions. He waited six weeks, when his report was sent back to him without one word of instructions, or any notice whatever of the Indians, *because it was not properly briefed!* The printed accounts of this wretched affair do not give the name of the officer whose preposterous idea of what he thought to be his official importance was slighted by his subordinate's mode of stating the case. This man of red tape and sealing wax had not enough human blood in his veins to forget for a moment his insignificant self, notwithstanding the responsibility which was upon him. Nevertheless, as no objection had been made at department headquarters, more Indians came in, until at last about five hundred were gathered at this point. They were employed by the military in bringing in hay, carrying on their backs to camp about two hundred thousand pounds. They also gathered mescal. By leave of the commanding officer, they moved their camp higher up the Aravapa, to a place where water was plentiful. Soon after Capt. Stanwood took command. He investigated the condition of affairs, and was so well satisfied with the Indians that, on April 24, 1871, he took most of his troops on a scouting expedition in the lower part of the territory. The white settlers in the immediate neighborhood were satisfied with these Indians, and had promised Lieut. Whitman to give them work in season at gathering barley.

The rest of the story can best be told in that officer's own language: "I had come to feel respect for men who, ignorant and naked, were still ashamed to lie or steal, and for women who would cheerfully work like slaves to clothe themselves and children, but untaught held their virtue above price. \*

\* I had ceased to have any fears of their leaving, and only dreaded for them that they might, at any time, be ordered to do so. They frequently expressed anxiety to hear from the General that they might have confidence to build for themselves bet-

ter houses, but would always say : ' You know what we want, and if you cannot see him, you can write.' On the morning of April 30, I was at breakfast at 7.30 o'clock, when a despatch was brought to me by a sergeant of Company P, 21st Infantry, from Capt. Penn, commanding Camp Lowell, informing me that a large party had left Tucson on the 28th, with the avowed purpose of killing all the Indians at this post. I immediately sent two interpreters mounted to the Indian camp, with orders to tell the Chiefs the exact state of things, and for them to bring the entire party inside the fort. As I had no cavalry, and but fifty infantry, all recruits, and no other officer, I could not leave the fort to go to their defence. My messengers returned in an hour with the intelligence, that *they could find no living Indians*. The camp was burning and *the ground strewed with their dead and mutilated women and children*. I immediately mounted a party of about twenty soldiers and citizens, and went with them, and the post surgeon with a wagon to bring in the wounded, if any could be found. The party returned in the afternoon, *having found no wounded*, and without being able to communicate with any of the survivors. Early the next morning I took a small party with spades and shovels, and went out and buried all the dead in and about the camp. I thought the act of caring for their dead would be an evidence to them of our sympathy, at least, and the conjecture proved correct, for while at work, many of them came to the spot and indulged in their expressions of grief, too wild and terrible to be described. That evening they came in singly, and in small parties, from all directions, so changed in forty-eight hours as to be hardly recognizable, during which time they had neither eaten nor slept. Many of the men, whose families had been killed when I spoke to them, and expressed my sympathy for them, were obliged to turn away, unable to speak, and too proud to show their grief. The women, whose children had been killed or stolen, were convulsed with grief, and looked to me appealingly, as though I was their last hope on earth. Children who, two days before, had been full of fun and frolic,

kept at a distance, expressing wondering horror. \* \*  
 Their camp was surrounded and attacked at day-break. So sudden and unexpected was it, that no one was awake to give the alarm, and I found quite *a number of women who were shot while they were asleep* beside their bundles of hay, which they had collected to bring in on that morning. The women who were unable to get away, had their brains beaten out with clubs or stones. \* \* The bodies were all stripped \* \*  
 What they (Indians) do not understand is that, while they are at peace, and conscious of no wrong intent, they should be murdered. \* \* One of the Chiefs said, 'I no longer want to live; my women and children have been killed before my face, and I have been unable to defend them. Most Indians in my place would take a knife and cut his throat, but I will live to show these people that all they have done, and all they can do, shall not make me break faith with you, so long as you will stand by us and defend us, in a language we know nothing of, to a great governor we never have, nor ever shall see.' About their captives they say: 'Get them back for us, our little boys will grow up slaves, and our girls worse. \* \* \* \*'  
 \* \* Our women work hard, and are good women, and they and our children have no diseases. Our dead you cannot bring to life, but those that are living, we give to you, who can write and talk, and have soldiers to get them back.' I can assure you it is difficult to convince them of my zeal, when they see so little being done."

What was the sequel to all this? Was any one punished? Oh no. *But Lieut. Whitman was soon relieved!* In April, 1872, Gen. Howard visited the scene. The Indians told their story, and asked for Whitman. But there was much feeling against him for his out-spoken denunciation of these border butchers. The *mob* opposed his return, and Gen. Howard was too weak to withstand it, and so Whitman was not re-instated, and thus ends another shameful chapter.

## NORTHERN CHEYENNES, CRAZY HORSE, DULL KNIFE.

The Northern Cheyennes, in 1867-8, relinquished *all* their territory, reserving the right to roam for game, and receive annuities, like nomad Sioux. As a permanent home they were given choice of the following places :

1. The reservation of the Cheyennes or Arapahoes, (South) or
2. Crow reservation, or
3. Sioux reservation.

The Government, at this time, further promised these Indians school houses, teachers, houses, mills ; also mechanics, a farmer, etc. They continued roaming until 1876, having no fixed home at any of the places above indicated. Notwithstanding their treaty right to roam, on June 29th, 1869, a military order was issued, proclaiming that all roaming Indians would be regarded as hostile ! In 1873, the Indian Bureau endeavored unsuccessfully to induce them to join the Southern Cheyennes and Arapahoes. In 1874 Congress prohibited supplies being issued to them, until they should join the Southern Indians. In 1875 this was again done. In the same year, after the Sioux had refused to cede the Black Hills, the Indian Office decided to remove the Northern Cheyennes and Arapahoes, and requested military aid, which at that time was opposed by Gen. Sheridan. In March, 1876, Gen. Reynolds struck the village of Crazy Horse. In August, 1876, Congress again made appropriations, dependent on their removal South. In September, 1876, the Sioux Commission incorporated these Cheyennes with the Sioux, both they and the Sioux being willing. This was in accordance with the treaty of 1868.

## MASSACRE OF VILLAGE OF CRAZY HORSE.

In November, 1876, an attack was made on the village of Crazy Horse by United States troops, under (General) McKenzie. Gen. Crook was his superior officer. In this the troops were aided by Indian allies, who were friends and relatives of these Cheyennes, but who were tricked into joining this expedition, by its being represented that they were desired

to join in an attack upon the "Northern Indians." The attack was made before day-break, and so the Indian allies had no means of discovering their mistake! These Indians of Crazy Horse had not recently been on the war-path and were living in a very secluded village. They had laid in their supplies for the winter, and were preparing hides for market. They were deprived of any annuities. They had no fixed home on any reservation, and by treaty they had a right to roam in the very territory in which was their village. It is true that two months before they had been incorporated with the Sioux, but this treaty had not yet been ratified by Congress—and it was not ratified till February, 1877, and then with new conditions, not contained in the treaty—so that at this time there was really nothing left to them but the hunting right, guaranteed them by the treaty of May 10th, 1868. Indeed, in the agreement made with these Indians, in September, 1876—only two months before—the faith of the Government was pledged that the Northern Cheyennes, Arapahoes, and Sioux should be "protected in their rights of property, person, and life," and this pledge Congress did not disturb. Gen. Crook knew all this. McKenzie and all the other officers knew this. Nevertheless, it had been determined to hunt out these secluded Indians, in their remote village, and after great hardships on the part of the troops—worthy of a better cause—and with the aid of the Indian allies, deceived into this hateful work, before break of day, on a bitter winter morning, this village, buried in peaceful slumber, and its people thinking themselves secure from all attack, were surrounded and barbarously butchered in cold blood. The terrified Indians were driven out of their tepees, just as they were startled from their sleep, and were massacred without mercy, and in order to complete their misery and that the survivors might be entirely destitute, all the winter supplies, all the hides (and everything else of value belonging to these unfortunate people), were wantonly destroyed. When this brutal and treacherous massacre was reported by McKenzie to Gen. Crook, it was transmitted to Gen. Sheridan, with this encomium: "I cannot commend too highly this brilliant achievement and the gallantry of the troops."

*No department of the Government ever denounced this transaction, and to this day none of the guilty participants have in any way been called to account.*

In Feb. 1877, Congress ratified the agreement with the Sioux, Northern Cheyennes and Arapahoes, with the fourth article, guaranteeing them essential rights, left out! This of course without the consent of the Indians! The removal of the Sioux to the Indian Territory was prohibited. All these Indians were therefore to remain on the then Sioux reservation, and, under Article 3, to receive subsistence and supplies on "said reservation and in the vicinity of the Missouri River." The removal of the Northern Cheyennes and Arapahoes was not prohibited, but they were not relieved from the necessity of receiving supplies as above provided. Although Congress had *thus partially ratified* the work of the Sioux (Commission, the Appropriation bill, passed March 3rd, 1877 for the fiscal year, ending June 30th, 1878) did not appropriate one dollar of the amount stipulated to be paid the Northern Cheyennes and Arapahoes, nor was any provision made for the rations agreed upon, except for clothing and for pay of a physician, teacher, carpenter, miller, farmer, blacksmith and engineer!

#### A SOLDIER UNPUNISHED MURDERS THE PRISONER CRAZY HORSE.

In September, 1877, Crazy Horse was arrested on the 5th. General Crook telegraphed the intelligence to General Sheridan, and added that "he had ordered Bradley to send him off where he would be out of harm's way."

The result showed how literally these instructions were carried out.

Crazy Horse was made a prisoner September 4th, at Spotted Tail Agency.

On the evening of the 5th, he arrived as a prisoner at Camp Robinson, and while being disarmed at the guard-house, he was stabbed with a bayonet by one of the soldiers, and died in a few hours.

He was surely "out of harm's way" then, and the United

States officers were doubtless well satisfied, as the soldier was never punished, and the government, which first wantonly destroyed this chief's village and its inhabitants, and then allowed him to be murdered, never thought the matter worthy of even a formal inquiry, much less of condemnation and condign punishment.

#### MASSACRE OF DULL KNIFE'S BAND.

A fitting sequel to all this perfidy and treachery by the Federal Government, was the butchery of Dull Knife's Band of Northern Cheyennes.

These Indians had been removed South, and were dissatisfied with their new home.

They made no concealment whatever of their intention to return North.

On September 5th, 1878, the agent so informed the commanding officer at Fort Reno. On September 9th, the band started North. The whole number was about 300, of whom 87 were warriors.

The agent was informed of their departure by one of the Indian Police.

The Indians had been eight hours on the march before the troops "watching them" knew it. They were then pursued, but had travelled 120 miles before the troops came up with them. *No outrages had been committed by them until after they had been struck by the troops.* Then they committed numerous atrocities. In Northern Nebraska they surrendered to the troops. Meanwhile both sides had sustained losses.

Dull Knife's Band claimed that they had been promised not to be returned to the Indian Territory.

Their story is corroborated by the Editor of the *Telegraph*, of Sidney, Nebraska, in an account published January 25, 1879.

He visited Fort Robinson for the express purpose of obtaining information on this and other matters connected with this raid. For two months the prisoners were kept confined at Fort Robinson. Meanwhile the subject of their disposition was being considered by the Federal Government.



It was finally determined, that the Indians be returned South, and the murderers be identified and tried as demanded by the State Governor.

Dull Knife's Band earnestly protested that this was in violation of the promise claimed, and as appears rightfully claimed, to have been made to them when they surrendered. They avowed that sooner than go back to the South, they would prefer to die where they were.

Instead of inquiring into their claim, or at least treating them decently until he could represent matters fully at Washington, and receive definite instructions, some official (it does not appear who he was), undertook to starve and freeze these prisoners into submission. It was then mid-winter, and was terribly cold.

This inhuman wretch of his own authority, and as an experiment in cruelty which would do honor to Alva, actually for five days deprived these miserable creatures, men, women and children, of proper food, clothing and fuel!\*

This to make them submissive! But this ingenuity of cruelty failed utterly. The Indians were not frozen out, but only made more desperate.

Within a stone's throw of these cold and hungry prisoners were several companies of United States troops. They were well clad, well fed and well armed, and perfectly able to maintain the authority of the Government without having recourse to the disgraceful attempt to starve and freeze the Indians. While things were in this condition, an interpreter informed the officers that an outbreak was meditated. What followed is fearfully significant.

On January 9th, in the evening, *all the stretchers* were overhauled and made ready for use. The attendants were forbidden to retire. The troops did not turn in. The windows of the prison were *left open*.

Why all this? Mark the result.

That same night at eleven o'clock, Dull Knife gave the signal. Every warrior leaped out of the windows, *left open for their es-*

---

\* See Manypenny's account in "Indian Wards."

cape, followed by their women and children. Although two months prisoners, they had concealed some revolvers. With these they fired on the guards to make good their escape, and wounded four of them.

But the stretchers were ready, the attendants had not retired, the troops had not turned in.

As soon as the firing began, the main guard rushed after the flying Indians and shot and killed forty of them.

Then 160 cavalry started on a wild chase after the remains of the unhappy band of men, women and children, poorly clad, half-starved and frozen, yet flying for *protection* into the biting cold of that terrible January midnight! They made for the bluffs, three miles off, the mounted troops firing in all directions at the fugitives.

On the next day a dispatch from Fort Robinson announced that not a single Indian would escape.

The troops separated into small squads, the more easily to track and pursue them. This was kept up until the 22d.

After a few days the pursuit relaxed, from cold and weariness. But General Crook ordered its continuance!

On January 16, Captain Wessels set out with four fresh companies of cavalry. They were rationed for six days.

On the 22d the butchery was over, or, as the butchers would have it, "the campaign closed"!

On that day, at a point 50 miles from where they started, the remnant of Dull Knife's band was surrounded.

They had started on this terrible journey after five days' freezing and starving. They had followed it up with nearly two weeks more of cold, hunger and wild terror—men, women and children.

Here they are drawn up together and surrounded. A deadly fight ensued. The Indians, having no ammunition, rushed out with their knives! Futile effort! One volley, and all were dead before they even reached the troops!

Twenty-four Indians lay dead on the ravine. Of these, five were squaws, and two papooses. Only nine remained alive:—One buck, five wounded squaws, three squaws unhurt.

Captain Wessels' despatch to General Crook reported :

"The Cheyennes fought with extraordinary courage and firmness, and refused (!) all terms but death!" None were offered them. The dead were buried in one common grave.

An observer wrote of them :

"Let us see the dead and wounded brought into the Fort. The soldiers drag out of the army wagons twenty-six frozen bodies. They fall upon the frozen ground like so many frozen hogs. These bodies are pierced by from three to ten bullets each. They are stacked up in piles like cord-wood, *the scanty clothing of the women being, in some instances, thrown over their heads.* They are a ghastly pile of God's poor, despised children. *Their heads have been scalped, and every indignity heaped upon them that more than Indian brutality can invent.* The officers account for so many shots being fired into the bodies by saying that whenever the wind stirred a blanket the soldiers fired again to make sure the Indian was dead! They deny that the soldiers scalped the dead, but it is not shown that other Indians were there."\*

Of Dull Knife's band of 320, but 75 survived. Of these, only seven were men; the rest were women and children, some of whom were sent to the Ogallalla Sioux, their relatives.

But it is useless to continue this shameful record further. The facts need no comment. The deeds here related stand out in all their naked deformity, unrighted and unavenged.

---

\* See Manypenny's account in "Indian Wards,"

## THE PROPOSED INDIAN POLICY.

Having passed over these ghastly details of Federal barbarism, it will be a relief now to consider what practical plan can be adopted to remedy the wrongs of the past and prepare the Indians for civilization and eventual absorption into the mass of the population of the Nation.

The plan here proposed (the adoption of which will be advocated in the manner hereinafter indicated) is given in the shape of a platform or short declaration of principles, in order that it may more readily be understood, and that those who favor it may be able, in a few words, to say exactly what they want.

It is not claimed that the platform is new, either in whole or in part.

On the contrary, nearly every thing advocated therein has, at one time or another, been recommended to Congress, without the slightest possible impression having been produced upon that body.

It is in view of this fact that the only novel part of this plan, viz.: the mode of forcing its adoption, is hereafter explained in detail, and will continue to occupy the writer's attention until it is made a success.

## PLATFORM OF PRINCIPLES.

## GOOD FAITH.

Never break faith with the Indians.

## INDIAN TERRITORY.

Keep all intruders out of the Territory.

Continue the self-government of the civilized tribes.

Let them regulate their own land tenure.

## LAW.

Enact suitable laws to protect life and property on reservations.

LAW—*Continued.*

- Make them flexible in detail.
- Administer them through Department orders approved by the President.
- Promptly and rigidly enforce them.
- Individualize the punishment of crime. Never hold the tribe liable for the crimes of its members.
- Organize an efficient Indian police force on every reservation.

INDIAN DEPARTMENT.

- Create a separate Indian Department under a civilian Secretary.
- Grant plenary emergency powers to the President.
- Have all agencies frequently inspected by appointees of the President, well paid and unconnected with the Indian Department.
- Carefully regulate the powers and duties of Indian Agents.
- Give them permanent positions and liberal salaries. Keep them free from political influence. Let their subordinates be appointed by the Department.
- All questions of general policy and treatment to be settled by the Department. No individual experiments by theoretical agents to be permitted.
- Abolish all privileged traderships. Absolutely destroy all traffic in liquors. Control the sale of arms and ammunition. In all else let there be free trade.
- Let all military posts be maintained separate and apart from the Indian villages and preserve absolute non-intercourse between the soldiers and the Indians.

NO REMOVALS.

- Remove no more tribes, except where the soil and climate require it, and the change is voluntary.
- Civilize the Indians where they are.

## EDUCATION.

Educate the entire Indian reservation population. Teach the children in boarding manual-labor schools on the reservations.

Make them farmers and graziers.

Give all the bands an abundance of cattle.

Teach them trades.

Instruct them in the laws of health.

Show them how to live.

Neutralize the influence of the medicine men.

Make work compulsory.

## LANDS IN SEVERALTY.

ON RESERVATIONS divide lands in severalty as soon as Indians can farm them. Make them inalienable and non-taxable for a time. Sell the surplus lands for the benefit of the tribe.

ELSEWHERE grant government lands in severalty (on same terms) to all Indians who can cultivate them.

## CITIZENSHIP.

Give citizenship to all self-supporting Indians who ask it.

The foregoing platform embraces the principal points of the proposed plan for the gradual civilization and ultimate absorption of the Indians, and it is condensed into a few generalizations in order that it may be read and comprehended without the necessity of reading this paper.

For those who care to consider the matter somewhat more in detail—and yet, merely by way of suggestion, rather than argument or elaboration—the different points will be referred to in the order in which they occur in the platform of principles.

## GOOD FAITH.

This first point embraces all the others. Its observance would produce that radical change which is imperatively required of the Federal Government—that it keep its plighted faith, so that

the promises made to the Indians to last "while water runs" and "grass grows" shall be fulfilled.

This Nation must first learn to be honest itself, before it can hope to civilize the savage.

And not only must the Government's promises be kept, but they must be fulfilled promptly and at the time agreed on.

Much blood and treasure has been lost through the inexcusable delays in Congressional appropriations, and often by that body entirely failing—for a time, or permanently—to pay sums required by the National engagements.

As to all fixed liabilities of the Government to the Indians, this difficulty could, for the future, be avoided by a general statute, making all such sums permanent appropriations, and payable out of the Treasury, at the stipulated times without further legislation.

#### INDIAN TERRITORY.

The title of the Indians to the Indian Territory, and the condition of the civilized tribes have already been considered in detail.

In concisely explaining the principles enunciated in the proposed platform, it only remains to touch briefly on the importance of the following injunctions, viz:

To keep all intruders out of the Territory.

To continue the self-government of the civilized tribes, and to let them regulate their own tenure.

The first proposition is self-evident, and the Government has shown a firm determination to adhere to it. Nevertheless those seeking to open the Territory, are untiring in their efforts, and whether it takes the rude shape of a band of desperadoes openly trespassing, or the more insidious form of helping to civilize (?) the Indians by means of railroad enterprises, or Oklahoma bills, a never-ending struggle is going on, the object of which is to rob the Indians of the remains of their once great heritage.

No less important is it to continue the self-government of the

civilized tribes. What this self-government really is, the reader has seen. Any attacks upon their autonomy would be as disastrous to them as similar encroachments would be on white citizens, were they made in the States of the Union.

In regard to land tenure, the condition of the aborigines in the Indian Territory is widely different from that in which they are found on reservations. Of course everywhere tenure in severalty must be inculcated, urged and effected at the earliest moment. But in the Territory all the details of time and manner of making this radical change, should be left to the Indians themselves. Their views are well expressed by Pleasant Porter on page 2 of this paper.

#### LAW.

On the reservations there is practically no law. This state of things has been brought about by Congress, and the continuance thereof with its full knowledge—notwithstanding the repeated admonitions of successive Executives—shows how impervious that body is to the claims of humanity, except where they can be made a pretext for partizanship, or where an overwhelming pressure from without compels it to remedy an evil.

On the reservations the Federal Government has practically broken up the tribal relation—in so far as it can be successfully used for the protection of life and property—and yet has substituted nothing in its place.

It seems incredible, yet is nevertheless true, that Congress, well knowing the fact, leaves these people year after year without the restraints and coercions of law, and then wonders that peace and order do not prevail.

What would be the condition of any civilized State if it were without either courts or police?

If no offences could be punished, and no contracts be enforced, if in fact the people were as they are on the reservations—living in a state of nature?

Withdraw the machinery of government for even a short time in any of the large cities, and the result would be appalling.



Bishop Hare has well said : \*

“ But much as there is to encourage effort in behalf of the Indians, one evil results from their contact with civilization so malign, that one sometimes questions whether the evil which civilization has brought, is not greater than the good. Civilization has loosened, in some places broken, the bonds which regulate and hold together Indian society in its wild state, and has failed to give the people law, and officers of justice in their place. This evil still continues unabated. Women are brutally beaten and outraged ; men are murdered in cold blood ; the Indians who are friendly to schools and churches are intimidated, and preyed upon by the evil-disposed ; children are molested on their way to school ; and schools are dispersed by bands of vagabonds, but there is no redress. This accursed condition of things is an outrage upon the One Law-giver. It is a disgrace to our land. It should make every man who sits in the National Hall of legislation blush. And wish well to the Indians as we may, and do for them what we will, the efforts of civil agents, teachers and missionaries, are like the struggles of drowning men weighted with lead, so long as, by the absence of law, Indian society is left without a base.”

This subject has time after time and year after year been pressed upon the attention of Congress, and that body, as in other cases, has very diligently investigated, and printed, and reported, and has done—nothing !

It would be wholly impracticable to meet this difficulty by extending the general statutes of the United States over the reservations. This crude idea has been several times urged, but, fortunately, never adopted.

What is wanted is to confer magisterial powers on the civil agents of the Government to such an extent and under such restrictions as their peculiar situation requires. Their jurisdiction should be both civil and criminal. Besides this, their administrative functions should be defined and regulated by law.

Large discretionary powers should be vested in the Secretary

(subject to the President's approval), and the powers and duties of the civil agents be regulated by him to suit the wants of particular reservations.

It would be well, in such cases as the Secretary might think proper, to establish an advisory native council to assist the civil agents, as in this way the leading natives would gradually be educated in self-government. To some extent their own primitive notions and their own tribal administration might, perhaps, be utilized.

But the whole machinery must be very flexible, so that the law, to some extent, and its methods, may be moulded to meet the exigencies of the situation. Only the general outline should be defined by statute; the administration must be left, untrammelled, to one responsible head.

#### INDIVIDUALIZE PUNISHMENT.

Another thing which the Government must learn, is to discriminate in punishment.

Punish individual offenders—Indians and whites—instead of, as has been the custom, letting things alone until lawlessness culminates in some great crime, when the whole tribe, guilty and innocent alike, are compelled to suffer terrible wrongs for the misdeeds of a few of their number.

The custom of making an entire band or tribe responsible for the misdeeds of its individual members, is pernicious to the last degree; and if the Government would enact suitable laws for the preservation of life and property on the reservations, there would be neither necessity nor excuse for this clumsy mode of enforcing order.

Aside from the gross injustice of holding the innocent liable for the acts of the guilty, and the discouragement of individual effort in a right direction, this system has been a most lamentable failure. Sometimes the Indians like their white neighbors, have no inclination to give up their guilty brother, but oftener they are unable to do so.

Much blood has been wasted in fruitless efforts to administer

justice in this way. Witness the Sioux war 1851-2-3. This it has been shown, resulted from a refusal to receive compensation for a Mormon's cow which had been stolen and eaten. A demand for the surrender of the thief being persisted in and evaded, the Indians were fired on, and thus began a three years' war, which was not only disgraceful but cost the government \$35,000,000. The maintenance of this system is a great drawback to civilization, and it should cease at once.

The mistake which the government makes in punishing the tribe for the crimes of its members, is only equalled by another blunder at the opposite extreme, namely, the forgiveness of an entire tribe without making an example of the offenders. In other words, whether the government punishes or forgives, it is all the same, guilty and innocent are treated exactly alike.

It is impossible to imagine anything more pernicious, and while this system continues there is absolutely no incentive to good behavior. When there is mischief brewing those who stand aloof, get the ill-will of their fellows without obtaining the good-will of the government.\*

#### INDIAN POLICE.

Every reservation should have a native police force. This has already proven to be a very valuable auxiliary in protecting life and property on the reservations.

It is a novel branch of the Indian service, and has been successfully established, notwithstanding strenuous opposition both from the Indians and whites. The Indians looked upon the service with mingled feelings of suspicion and contempt. The

---

\*Lieutenant Wood, in a recent paper "Our Indian Question"—"Journal of Military Service Institution," vol. II, No. 6, p. 177, says:

"I suggest that some plan be devised for invariably punishing rebellious Indians. Let the method in which they have conducted the war be considered in mitigation or aggravation. Let them be deprived of the implements of war and hunting. Let them be isolated from their old surroundings and compelled under proper instruction to engage in civilized pursuits as convicts, not as prisoners of course, the mass must be at large.

"I have seen this theory in practice on a small scale, and it was highly successful. \* \* \* Somewhere on the 151,000,000 acres of Indian lands place could be found for the instruction of Indian convicts who had forfeited some of their rights."

members of the force were considered in the light of domestic spies, and the young men were dissuaded from enlisting.

Many whites, both civilians and soldiers, were opposed to the idea of training and arming Indians as a very dangerous experiment, of which the Government might soon have cause to repent.

Happily both sides must now be convinced that they were in the wrong.

The experiment has proved an entire success, the suspicion of the Indians and the fears of the whites have alike proved to be groundless.

The service is now popular with the natives. It is fully organized at thirty-seven agencies, and numbers nearly eight hundred men. The captains and lieutenants hold commissions signed by the Secretary and the Indian Commissioners. The sergeants receive warrants of appointment from the Agent. This branch of the service is in the infancy of its usefulness. It is destined to play an important part in the final civilization of the reservation Indians.

#### CIVILIAN ADMINISTRATION.

##### INDIAN DEPARTMENT.

The bayonet is no civilizer. And yet, in the face of an overwhelming array of facts, and notwithstanding the oft-recorded evidence of the incompetency that has characterized military Indian administration, a persistent effort has for years been made to again give the control of Indian affairs to the War Department.

It must be borne in mind that in advocating civilian Indian administration, it is not pretended that the Interior Department has been conspicuously successful, nor is it thought, for a moment, that the army can be dispensed with. Such is not the case.

As to troops, there must be at all seasons, and for many years to come, an ample military force, particularly mounted men, so distributed at a few strategic points, that the Government may

be able, at a moment's notice, to immediately enforce its commands both upon hostile Indians and intruding whites.

#### FORMER INDIAN ADMINISTRATION.

##### COLONIAL PERIOD.

In order to determine what ought to be the policy of the future, it is necessary to study the lesson of the past.

During the Colonial period each colony acted for itself.

##### CONFEDERATION.

Under the Confederation the general government—such as it was—managed, or rather, mismanaged, Indian affairs.

In 1775, Congress created three Departments of Indian Affairs—Northern, Middle, Southern.

A Board of Commissioners was organized for each Department.

The object of this was not to help the Indians, but to prevent them joining the English.

##### FEDERAL GOVERNMENT.

In 1785, Congress passed "An ordinance for the regulation of Indian affairs."

Two districts were provided for—Northern and Southern—with a Superintendent for each, who was to act in conjunction with the State authorities! All business was to be transacted at the military posts.

In 1787, the States were authorized to appoint Commissioners. They, in conjunction with the Federal Superintendents, made treaties.

These Federal Superintendents were placed under the control of the War Department, so that the military arm governed the Indians as early as 1787.

After this time, the War Department made treaties and also disbursed the Indian appropriations and annuities.

In carrying out the duties thus imposed on the War Department, the officers of the regular army were employed by the Department. In some cases, civilians were selected for duty,

but this was only in rare instances. The almost universal rule was to employ the regular army officers and no others.

After the lapse of more than a generation, let it be seen what the War Department *thought of itself* as an administrator of Indian affairs.

#### THE WAR DEPARTMENT ON ITSELF.

In 1826, Hon. James Barbour, then Secretary of War, in an official letter to the Chairman of the Indian Committee of the House of Representatives, used the following language :

"The suggestions of policy or necessity should no longer stifle the claims of justice and humanity. It is now, therefore, that the most solemn question addresses itself to the American people, and whose answer is full of responsibility. *Shall we go on quietly in a course which, judging from the past, threatens their* (Indians') *extinction*, while their past sufferings and future prospects so pathetically appeal to our compassion? \* \* It is the province of history to commit to its pages the transactions of nations. \* \* But she performs her province with impartiality. \* \* The tyrant and the oppressor see in the character of their prototypes the sentence posterity is preparing for them. *Which side of the picture shall we elect?* for the decision is left to ourselves. Shall the record transmit the present race to future generations as standing by, insensible to the progress of the desolation which threatens the remnant of this people ; or shall these unfriendly characters give place to a generous effort which shall have been made to save them from destruction? While deliberating on this solemn question, I would appeal to that High Providence, whose delight is justice and mercy, and take counsel from the records of His will, revealed to man in His terrible denunciation against the oppressor."

In another part of this report, the Secretary said :

"The history of the past presents but little on which the recollection lingers with satisfaction."

And again :

"The future is not more cheering, unless resort be speedily had to other counsels than those by which we have heretofore been governed."

## WAR DEPARTMENT—REMOVALS.

But Georgia and other States continued an unrelenting persecution of the Indians, and finally—May 30, 1830—Congress passed an Act providing for a general removal of Indians beyond the Mississippi. The War Department had full charge of the removals.

For gross incompetency, for glaring abuses, for cruel and unnecessary sufferings imposed upon these unfortunate exiles by the lack of ability or of desire to mitigate their condition—or both—displayed by the War Department, the history of the United States is without a parallel.

For a succession of years the War Department continued to remove the Indians to Missouri and Arkansas. The story of one removal is the story of all. Throughout the entire undertaking there was the same incompetency in the Department and the same needless sufferings by the Indians. The loss of life was appalling.

## CONGRESS INVESTIGATES THE WAR DEPARTMENT, 1832.

In consequence of a growing public sentiment, Congress in 1832, ordered an investigation to be made into the conduct of Indian Affairs by the War Department. The committee reported to Congress that the War Department's management of the Indians was "expensive, inefficient and irresponsible." In consequence of this report, Congress in the same year, (1832) created the office of Commissioner of Indian Affairs, and in 1834 they followed this up by "an act to provide for the organization of the Department of Indian Affairs."

The acts of 1832 and 1834 were passed in view of the gross incompetency of the War Department. The President was thereby vested with the power to prescribe rules and regulations to carry out these statutes.

On November 8, 1836, President Jackson performed (?) this important duty by referring the subject to the Secretary of War, that official being then directed to "immediately revise the existing regulations, and prescribe a new set as to the mode in which business shall be done by the Commissioner adapted to

the present condition and duties of the office." The War Department was charged with the task of reforming itself! Then, as now, it frankly admitted its own entire fitness, not only to manage the Indians but also to reform itself.

*In three days* the then Secretary of War solved the problem, (resulting from more than a generation of incompetency and abuse in the War Department,) issued and immediately put in force the revised regulations. Naturally the new revised regulations continued the Indians nominally under the War Department and the President, but actually under the War Department alone, the President's supervision being merely perfunctory. The whole object of the acts of 1832 and 1834 was thus frustrated by the action of President Jackson, under the pretence of exercising the powers conferred upon him by those acts.

When one recalls his Indian \* record and his coarse, lawless instincts, † nothing else could well have been expected.

#### SECOND INVESTIGATION.

In 1842 a Congressional committee again reported:

"The evidence is submitted as to the general management and condition of Indian affairs. It exhibits an almost total want of method and punctuality, equally unjust to the government and the tribes to whom we have voluntarily assumed obligations which we are not at liberty to disregard. *It will be seen that the accounts of millions of expenditures have been so loosely kept as scarcely to furnish a trace or explanation of large sums, and that others have been misapplied so as to impose serious losses on the Indians, and heavy responsibility on the government; that in some books (the only record of these accounts) no entries have been*

---

\*When the Senate Committee made a scathing report on his conduct in the Seminole war, he publicly threatened to cut off the Senators' ears!

†Witness his cold-blooded murder of Dickinson in a duel growing out of a projected horse-race. Jackson withheld his shot, then, aiming slowly at his helpless victim, pulled the trigger. It stopped at half-cock. He paused again, slowly aimed, and shot Dickinson through the bowels. He died before his young wife reached him. Jackson concealed his own wound for the avowed purpose that Dickinson might die unsatisfied. At citizens' request, the local paper going into mourning, Jackson resented it, and demanded the publication of their names.



*made for a period of several years, and that where entries have been made, the very clerks who kept them, could not state an account from them."*

And yet Congress made no change!

The disbursements continued to be made as before. The money due to a tribe was paid to its Chiefs without any safeguard looking towards its proper distribution. Thus false and unfounded claims were paid, and the Indians grossly cheated out of their dues. Through direct bribery by contractors and others, Chiefs were induced to acknowledge large and unfounded claims against their tribes. It was stated in one of the reports by the Congressional Committee of 1879, referring to the War Department's management at this period: "The money annuities were frequently paid to parties holding national obligations against the tribe, which consisted of evidences of indebtedness obtained from the Chiefs by traders and other enterprising persons, and frequently in *such large sums as to absorb the whole amount due the tribe.*"

But at last Congress again took up what it had attempted to do in 1832-4. It effectually reorganized the Indian Bureau, and, mindful of the result of leaving important duties to be carried out by the President in his own way, in 1849 Congress placed the Indians under the control of the Secretary of the Interior.

#### RECENT CONGRESSIONAL ACTION, 1867-1879.

This question was fully considered in 1867 by a joint committee of Congress.

In their report after stating the arguments for and against the transfer, very fairly, they say: "Weighing this matter and all the arguments for and against the proposed change, your committee are *unanimously* of the opinion that the Indian Bureau should remain where it is."

And again in 1868, the Sioux Commission reported against transferring the Indian Bureau to the War Department.

In 1879 another effort was made, and the joint committee submitted two reports, one against the transfer, and the other favoring it. It is proposed to consider the 1879 reports in some detail.

## GENERAL SHERMAN'S IDEAS.

For the military view, the testimony of General Sherman may be taken.

It is important to understand General Sherman personally as well as his views. The latter are expressed in a letter to the committee, and in his oral examination.

The reader, on learning General Sherman's views, will be struck with the peculiar earnestness with which he advocates turning the Indians over to the army, although he at the same time avows his dislike to the Indian service. It is a sense of duty moves him. He candidly admits his own ability. This self-abnegation in General Sherman is as striking as the impersonality which marks his letter and testimony. It naturally recalls his recent unselfish utterances when, in view of the proposed creation of a Captain-Generaley for General Grant, General Sherman wrote a communication to the public (called a letter to some private friend), in which he pronounced the army to be top-heavy. At the same time the General admitted the propriety of keeping himself at the top of the top-heavy body, and avowed his willingness to continue to sacrifice himself in this way for his country. Thus, in his opinion, it was unnecessary to provide for General Grant.

Now, let General Sherman speak and let the *facts* and *his own words* answer him.

The reader who remembers the disgraceful treatment of the Piegans and of Black Kettle's bands and other similar atrocities, need not be told what was General Sherman's *animus* towards the Indians, particularly the Sioux. His first expression of opinion at this time (1879) is contained in a letter addressed to the committee, through its chairman, who had called at the army headquarters to see General Sherman.

There are some marked peculiarities in this letter. The committee had been months taking testimony, and were in no danger of closing suddenly. But General Sherman mentions in this letter that he was obliged to go that same day to Baltimore and would return to Washington the next day, and could be examined later, "meantime, I submit this letter."

General Sherman's peculiar constitution is such that in the few moments remaining until train time he undertook to give his views on Indian affairs to a Congressional committee. Most men would have preferred not to write a letter, but would rather have expressed themselves orally.

This letter covers one page and a half of printed matter. In this authoritative, condensed synopsis of Indian history and policy of one and a half pages, three paragraphs are personal, viz., the first and last referring to General Sherman's contemplated trip to Baltimore and return, and the second paragraph which discloses to the Committee the important admission that there is no personal antagonism between Mr. Schurz and General Sherman, and patronizingly gives the Secretary and Commissioner the benefit of General Sherman's belief in their good intentions.

A considerable portion of what remains is devoted to the personal pronoun—"I," "me," "my," together, occur twenty-seven times in the page and a half.

*What is left* is devoted to the Indians generally, to the demonstration of the necessity of turning them over to the War Department; to a candid admission of the army's qualifications, and its willingness to sacrifice itself to the Indian service; to laudation of the army, and to a fling at the "cant" of the civilians.

Understanding the War Department's principal witness, his impartiality and impersonality, let the reader consider the grounds urged by him in favor of a transfer.

#### SHERMAN vs. SHERMAN.

Now, this 1879 letter of General Sherman advocates turning the Indians over to the War Department. Yet, in 1868, the Sioux Commission, of which General Sherman was a member, with his knowledge and consent, reported against the War Department. The following extract is given from their report:

"This brings us to consider the much mooted question whether the Bureau should belong to the civil or military department of the Government. To determine this properly, we must first know what is to be the future treatment of the

Indians. If we intend to have war with them the Bureau should go to the Secretary of War. If we intend to have peace it should be in the civil department.

"Under the plan we have suggested, the chief duties of the Bureau will be to educate and instruct in the peaceful arts, in other words, to civilize, the Indians. The military arm of the Government is not the most admirably adapted to discharge duties of this character. We have the highest possible appreciation of the officers of the army and fully recognize their proverbial integrity and honor, but we are satisfied that not one in a thousand would like to teach Indian children to read and write, or Indian men to sow and reap. These are emphatically civil and not military occupations."

Nothing could be better said. But General Sherman is on record on both sides of this question, and he may be considered as at a sort of stand-off with himself.

Again in this 1879 letter General Sherman writes :

"Now, to *me* it is matter of demonstration that at the present time, and for years to come, the Indian Bureau of itself, without the help of the army, cannot maintain in peace the large tribes of Indians."

Of course, the army is necessary in case of actual outbreaks, but it is begging the question to assume from this that the army must manage the Indians in time of peace.

#### SECRETARY SCHURZ'S ANSWER.

The actual relation of the army to the Indians, at the very time of General Sherman's letter, is stated by Secretary Schurz in his testimony before this committee, heretofore quoted, and in his contemporaneous report as Secretary of the Interior, as appears from the following quotation :

"It is believed by many that the normal condition of the Indians is turbulence and hostility to the whites ; that the principal object of an Indian policy must be to keep the Indians quiet, and that they can be kept quiet only by the constant presence and pressure of force. This is an error. Of the seventy-one Indian agencies, there are only eleven which have

military posts in their immediate vicinity, and fourteen with a military force within one to three days' march. Of the 252,000 Indians in the United States, there have been, since the pacification of the Sioux, at no time more than a few hundred in hostile conflict with the whites. Neither does it appear that such partial disturbances have been provoked by the absence or prevented by the presence of a military force. Of the four disturbances which have occurred within the last two years, three broke out in the immediate presence of such a military force and only one without it. At this moment, a band of less than eight hundred Utes and another of about one hundred and fifty Indian marauders in New Mexico, in all less than one thousand of an Indian population of a quarter of a million, are causing serious trouble. In fact, the number of white desperadoes who were, within the last twelve months, banded together in New Mexico for murder and rapine, was larger than that of the Indians recently on the war-path near the southern part of the territory." He adds :

"A very large majority of the Indian reservations are in a condition of uninterrupted quiet without the presence of a coercing force ; and experience with equal significance shows that the more civilized an Indian tribe becomes, the more certainly can its peaceable and orderly conduct be depended on. The progress of civilization and the maintenance of peace among the Indians have always gone hand in hand."

General Sherman further tells the committee :

"With the lawful right to supervise these various tribes on their allotted reservations and to control the issues of moneys and provisions provided liberally by Congress, I am sure the army can prevent the annual recurrence of these Indian wars, which have exhausted the patience of Generals Sheridan, Pope, Crook, etc." Again he writes :

"My judgment is, that *we* (the army) would, in most instances, foresee the cause of war and nip it in the bud ; and, therefore, Indian wars would be very rare, if not at an end, on anything like a large scale." And again :

"Without the army the Indian Bureau cannot manage these

Indians ; and in preference to being called on in season and out of season, nearly always too late to prevent trouble, or even understand the cause, but after war is actually begun, *we* prefer to take the whole labor and drudgery of the offices of Indian agents and superintendents, without one cent of additional compensation."

General Sherman also assures the committee

"There will be less cant with the military agents than with the civil." And again :

"It (transfer) ought to be a question of national economy and efficiency, instead of one of mere patronage."

Another reason General Sherman gives the committee for a transfer of the Indians to the War Department is, that *the Indians themselves desire it!*

"For wherever *I* have been, \* \* and *I* have seen a good deal of these Indians, they have begged *me* to put an army officer in charge of their interests."

#### GENERAL SHERMAN'S IDEAS REVIEWED.

Now consider these allegations a little in detail.

Without stopping to calculate how important a factor in the Indian question may be the "exhausted patience of General Sheridan," or how long it takes this unknown quantity to get exhausted, it will be seen that General Sherman ignores several important facts.

It has been shown that prior to 1849, for more than half a century, the War Department practically did "supervise these Indians," and did "control the issues of moneys and provisions," and although supposing there was "less cant" under the military agents, yet nevertheless, the army did *not* "prevent the annual recurrence of these Indian wars," and besides the army did *not* wholly or partially civilize any tribe, or any considerable part thereof, and the army did *not* in any way improve either the condition of the Indians, or the relations of the Government with them.

Nor was the War Department management a conspicuous example of "national economy." General Sherman also ignores

the fact that it was because the War Department had been repeatedly condemned as lacking all the qualities he now claims for it, after a half-century of disgraceful administration pronounced by Congress, as early as 1832, "expensive, inefficient and irresponsible," that finally in 1849, its duties were transferred to the Department of the Interior.

Again General Sherman's argument (!): that because when war actually comes the army does the fighting, therefore they should govern the Indians in time of peace, is simply preposterous.

The proposition would apply with like force to the other departments, and in all governments.

Because Von Moltke would have to do the fighting, should Bismarck resign the Chancellorship to him?

To reach an anti-climax. In Western Pennsylvania, the Treasury was unable to collect the whiskey tax. There were whiskey-tax riots and the army had to restore order.

Would any one thence argue that the army should become tax collectors, and the Treasury be made a bureau of the War Department?

It is the same with the Judiciary. If the Marshal were to fail in enforcing a decree of the Federal courts, and troops were employed, would it thence be contended that their commander should frame decrees instead of the Judge?

But the argument of General Sherman is puerile, and need not be pursued farther.

As to the Indians wishing the transfer, it is almost impossible to understand how even General Sherman could believe this, yet he seems to entertain no doubt on the subject.

He admits this fondness of the Indians for the army as frankly as he does the entire fitness of the War Department to manage them.

What are the facts?

#### WHAT THE INDIANS THINK.

At the very time General Sherman was writing this letter, the Government was in possession of returns from the Indians on the question of transfer, from which it appears that 96 *per cent.*

of the entire Indian population *was utterly opposed to being put again under the War Department.*

Read what some of the tribes then said, as contained in the vidence reported by the Congressional Committee (1879).

Their expressions of opinion against the attempted transfer are very bitter. A few extracts will convey a general idea of their views:

“If the military were again likely to have control and possession of San Carlos Agency, the Indians would take their children in their arms and go to the mountains.”

The Pend d'Oreilles said: “Instead of soldiers we want plows, wagons, harness, hoes, rakes and cradles. By good advice we avoided trouble last summer, when war was almost in our camp, \* \* but force begets trouble, and a soldier would rather force his views with a gun than talk them with his mouth.”

The Indians at Fort Peck said: “Our young men are imprudent, and often violent and reckless and the presence of soldiers, always results in violence, and broils among the young men, for which they are treated, or punished harshly by military authority, leaving a feeling of bitterness which frequently results years afterwards, in some violent transaction on their part in revenge of real or fancied wrong, inflicted on them in this way.”

The Winnebagoes say: “The army has been the cause of leading into warfare against the whites, and they [the Indians], fear if transferred [to the War Department], it would again lead many from the road of peace they have fully adopted. They believe their own advancement and future prosperity, the virtue of their women, and the education and training of their children will be best secured under the present management.”

The Creeks (or Muskogees) embodied their views in the following telegraphic communication to the Joint Committee:

MUSKOGEE, INDIAN TERRITORY, }  
September 25, 1878. }

SIR:—Our National Council passed the following preamble and resolution to-day:



WHEREAS, Strenuous exertions are being made by the enemies and mistaken friends of the Indians to transfer the Indian Bureau to the War Department; and

WHEREAS, Our condition as a people has always improved under the peace policy, and has always retrograded under a war policy, and

WHEREAS, The idea of being forced to have communication with the United States only through a department whose name is suggestive of subjugation, is repugnant to the Indian race. Therefore, be it

*Resolved by the National Council of the Muskogee Nation, That in the name of the Creek people we most emphatically protest against such transfer.*

(Signed)

WARD COACHMAN,  
Principal Chief.

TO HON. S. W. MARSTON,  
Lindell Hotel, St. Louis, Mo.

The reports from the other tribes are in the same strain.

But it is needless to pursue this subject longer. General Sherman's prejudices, to use a mild phrase, are all against the Indians. He never was known to denounce any barbarity practiced on them, but on the contrary was loud in praise of more than one causeless butchery. Witness the brutal massacre "by mistake" of Black Kettle's band, called by the military the battle of the Washita. It has been shown how he commended this heartless and disgraceful act.

Turn to the Piegan massacre by Colonel Baker, and there is found nothing but laudation for this wanton and treacherous attack on a village stricken with small-pox; an act, too, attended with circumstances of cold blooded cruelty not excelled in the national annals.

The only persons condemned in this affair by General Sherman, were those officers who made the atrocities known to the public without communicating their information through him!

They had forsooth offended his ideas of military etiquette. But the whole subject, so far as General Sherman's capacity of judgment is concerned, may be tested by his views of the Sioux.

Nicolet, whose researches were commended by Humboldt, wrote of them that they were "the finest type of wild men he had ever seen."

And of the Sioux in 1880, Bishop Whipple wrote: "Our most terrible wars have been with the noblest types of the In-

dians, and with men who had been the white man's friend.  
\* \* Old traders used to say that it was the boast of the Sioux that they had never taken the life of a white man."

For this same race, General Sherman, from out of the depths of his generous heart, can only propose to the Nation this damning sentiment :

"We must act with vindictive earnestness against the Sioux, even to their extermination, men, women and children. Nothing less will reach the root of the case."

#### ISOLATE THE SOLDIERS.

In this connection a few words may be said in a matter apparently of detail, yet of the very gravest importance. The soldiers at the army posts stationed in the Indian country, should be kept strictly isolated from the Indians.

Doubtless this point need not be elaborated. The evil effects to both Indians and soldiers, particularly the former of a different policy, have been many times deplored in reports by Federal officials, the details of which will convince the most skeptical of the absolute necessity of strict isolation

#### INDIAN DEPARTMENT.

The Indians should not merely be under civilian administration, but a separate Indian Department, presided over by a Cabinet officer, having no other duties, should be created.

Very ample powers should be conferred upon the head of this Department.

The Secretary should be given ample power to absolutely destroy all traffic in liquors and to control vigorously the sale of arms and ammunition.

All privileged traderships should be abolished ; and, subject to such regulations for their protection as the Secretary may devise, the Indians should be permitted to buy and sell from whom they please and when and how they see fit.

#### PRESIDENT'S EMERGENCY POWERS.

Plenary emergency powers should be granted to the President, so that in case of unexpected complications of any kind, he may have such authority as will enable him to remove the

cause of just complaint, and do whatever—his judgment may dictate for the preservation alike of Indians and settlers, being responsible to Congress for the abuse of such exceptional powers.

## INSPECTIONS.

The importance of frequent, unexpected, and independent inspections of the agencies, and, indeed, of all branches of the Indian service, cannot be over-estimated.

These inspections must be frequent, in order to break up any growing abuse before it has had time to fortify itself by corrupt combinations.

They must be wholly unexpected, so that the inspectors may find things as they really are, and not as the agents would want them to appear to be.

Usually, an inspection, if not actually heralded in advance, is at least well known long enough to frustrate its main object where there is anything to conceal. This unexpectedness cannot be obtained as long as the inspectors are a part of the Department staff.

Another indispensable requisite of all inspections is that they be wholly impartial, thoroughly independent, and rigidly efficient.

It is too plain for argument, that none of these results can be obtained if the inspectors and the inspected all belong to the same official family and are all subject to the same influences, both good and bad.

Only the direct appointees of the President, well paid, and selected wholly upon their merits, and because of their peculiar fitness for the position, can efficiently inspect this branch of the public service.

## AGENTS.

The powers and duties of Indian agents should be carefully regulated by the Secretary.

All questions of policy should be settled by him, and all general rules and regulations for the conduct of agents and their management of the Indians, should come from the same responsible head.

Whenever the peculiar situation of any tribe seems to require some departure from the general rules regulating the agents' powers and duties, the want should be made known to the Secretary, and no change be permitted which has not his previous sanction.

In other words, no individual experiments by theoretical agents should be tolerated.

The agent, to this extent, must sink his individuality.

On the other hand, it must not be forgotten that a competent Indian agent should have qualities, both of head and heart, which are not commonly found in Government employees.

The agents should practically hold office as long as they are efficient. They should be paid liberal salaries, varying according to the importance, the difficulties, and the requirements of the respective agencies, and above all else they should be absolutely free from political or other influences.

The subordinate agency appointments should be made by the Secretary and not by the agent himself.

In this way favoritism will be more readily avoided, the various employees will be a check on the agent as he will be on them.

#### NO MORE REMOVALS.

Remove no more tribes, except where the soil and climate absolutely require it, and the change is voluntary. Civilize the Indians where they are.

In the case of some reservations, the best interests of the Indians may be subserved (when they are ripe for it), by giving them lands in severalty, sufficient in quality and quantity, to meet not only their present wants, but also the requirements of their prospective increase for two or more generations, and then selling the rest of their lands for their own benefit. The money thus raised could be used as a fund for the purposes of their civilization. *Of course, this proposition has no reference whatever to the Indian territory.*

In considering the question of reservations, it must be borne in mind that a great part of many of the immense reservations

consists of land not suitable for agriculture, and much of it is positively arid.

Indeed, it is well known that this fact accounts for the apparently illimitable generosity of the Government.

In some cases Federal officials, in submitting reports of proposed reservations, have given as a reason for some large grants, that the land was valueless and no one would want it!

The absolute necessity of civilizing the Indians where they are is demonstrated not only by considerations apparent to the most superficial observer, but is confirmed by experience.

Only when the Indian is, or thinks he is, permanently settled, does he begin to make any considerable advance in civilization.

And this is the history of all men in all times and all places.

Of course, where individuals or families, or parts of tribes, desire to take up Government lands, and are able to cultivate them, such removals are to be encouraged.

But forced removals to accommodate miners and settlers should be absolutely prohibited.

Whites should be excluded from the reservations and a summary mode should be provided for the expulsion of all intruders, to be carried out at once on the spot, without waiting for orders from Washington.

#### EDUCATION.

It is not necessary or profitable at this time to indulge in speculations as to the ultimate higher education of the Indians.

Consider rather the immediate pressing necessities of the hour.

What is *now* needed, and what is being done to supply the want?

In a single sentence, the Federal Government educates *one* per centum of the Indian children, it should educate them all.

This estimate of course, does not include those children (whether in the five civilized tribes or on reservations), who are being partially educated by the expenditure of their own funds.

Lieutenant Wood, in his recent paper, "Our Indian Question," says:

"How different is the actual state of the case. For a total

Indian population of 400,000, an estimate is made of 30,000 school children, exclusive of those belonging to the civilized tribes of the Indian territory. For these 30,000 children, 121 schools are provided, of these 45 are boarding schools, some let out on contract—education to the lowest bidder—and 76 are day-schools. Some of these schools, *if not most of them*, are supported *out of funds held by the government in trust for the Indians*. The maximum aggregate accommodation of the boarding schools is 2,009 pupils per annum, of the day-schools 4,682; total 6,691 Indian children, receiving a daubing of civilization to be wiped off by the other 23,309 little barbarians.”

Among the five civilized tribes the question is settling itself, and the schools at Carlisle and Hampton show what can be done, and done quickly, for Indian children.

Captain Pratt and General Armstrong have met with great and deserved success, in giving them a practical industrial education.

By education must not be understood simply, or even principally letters.

The notion that the Indian question can be solved by a wholesale irruption of pedagogues on the reservations is a mistaken one.

It is *important* for them to know how to read and write, but it is absolutely *necessary* for them to be taught how to support themselves by manual labor.

To think that the blanket Indians can be led towards civilization by catching a few half-naked boys, giving them a collegiate education, and then turning them loose in their tribes “to grow” is puerile in the extreme.

On this point General Armstrong has recently well said: “We must beware of over-education. It would be a blunder, if not, a crime, to send the young Indians back to their homes with new tastes they could not gratify.”

Before schools, other than for manual labor, become really effective with the mass of the reservation Indians, the greatest difficulties in the way of their civilization will have been overcome.

If by some freak of nature all Indians instantly and simul-

taneously became able to "read, write and cipher," the race would be no nearer to civilization, and no nearer to supplying itself with food, clothing and lodging, and no nearer to self-government, than now.

No people were ever taught how to support and govern themselves by learning to read and write, and none ever will be.

The mass of humanity has passed away well satisfied, and happy enough, without knowing what it lost in this direction.

Men, profoundly ignorant of letters, have built cities, excelled in diplomacy, created empires, and founded dynasties.

Teaching an Indian to read will no more civilize him than giving him a quarter section of land will make him a farmer.

What the average reservation Indian wants *now*, is not so much the education of books, as the education of ideas. Of course it is highly important to teach him to read and write English, but this must be subordinated to his being instructed how to earn a living, how to live according to sanitary laws, what to eat and how to cook it, what to wear and how to make it, and most of all *how to get it*.

The Indians now need cattle and plows more than pot-hooks, and trades more than book learning.

They want to be made to understand the advantages which result from such a mode of life as is incompatible with tepees and blankets. When they comprehend this, tepees and blankets will disappear. Houses and clothes will follow.

When they reach that point and have become self-supporting, they will become capable of self-government, and then they will already be civilized.

To this end let the Federal Government establish on every reservation boarding manual-labor schools, capable of instructing all of the Indian children.

Inaugurate this system on the most thorough and comprehensive basis. Spare neither money nor pains.

With the adults persuasive means must be used, for the children heroic treatment is required. Compel every Indian child to attend the manual-labor schools. In other words *grow* no more wild Indians. In one generation the work is done. Give them trades of all kinds, whether they want them or not. Show

them how to be graziers and farmers, whether they appreciate it or not. Instruct the girls in housewifery, whether they ask it or not.

A most important point is to raise the condition of the Indian women. Teach the boys and men to consider the women their companions and equals, not their drudges.

Above all things make work compulsory. Familiarize the Indians with the social ideas of civilization. Instil into them the notion of individual ownership. Incline them to look to the law for redress of injuries and not to themselves. Discourage the use of the native tongue. In all these things wherever possible employ Indians, only use whites when absolutely necessary. This is the kind of education the Indians want now. Secondary to these pressing essentials, teach the young Indians all they can learn as rapidly as they can be benefited thereby.

#### THE MEDICINE MEN.

The influence of the Medicine Man is pernicious in the extreme. He is supposed to possess supernatural gifts, and cunningly works on the superstitions of the people. He knows, as well as the chiefs, that with civilization his power as well as theirs will disappear. Both, therefore, are indisposed to improvement. The medicine man, too, has another mode of bringing the chiefs to his assistance in the war against progress. Until he pronounces the "medicine good," no expedition can be undertaken. He thus obtains a casting vote, and generally uses it in such a way as to benefit himself.

The Government, where possible, should endeavour to obtain his aid—this will be very seldom—failing that, he must be crushed, as the incarnation of all that is baleful in Indian politics.

#### LANDS IN SEVERALTY.

Savagery is a state complete in itself. Even in its most advanced form it is not, in any sense, an imperfect civilization. It is not even in the direction of civilization, nor does it lead



to it. The wild Indian cannot be "developed" into a citizen, he has to be "born again." All his traditions and his most cherished religious feelings antagonize the change. This must be borne in mind in estimating the difficulties in the way of improving the condition of the Indians.

The Indian, by nature, is a thorough communist. The passion for the ownership of land, so strong in civilized races, is wholly unknown to him. This sentiment is eliminated from his nature. Hence, one of the great obstacles to inducing the Indians to own and cultivate lands in severalty.

Another objection springs from an entirely different source, viz., the fear that they will be overcome in detail if their community of interest is weakened, almost destroyed, by means of the sub-division of their lands.\*

The Indians, in their natural state, were implicitly obedient to a few simple laws which were ample for their condition. These laws and traditions recognized individual ownership only in strictly personal effects, such as clothing, ornaments and weapons; the separate ownership of land was wholly unknown. Even the products of the chase belonged to the clan, to a group of relatives, sometimes on the male side, sometimes on the female.

Children never inherited from their parents, but the effects of a dead Indian fell to the clan or *gens* in common. This wholly prevented the growth of the desire for individual ownership. Indeed, so far from separate ownership being encouraged, it was severely reprobated; in fact, it was not tolerated.

The attempt to secure to an individual what belonged to the *gens* in common, was a crime universally abhorred. Such transgressors were considered to be peculiarly offensive to the gods. †

It is true that this feeling is dying out, and as to personal property, it is no longer of any moment; but the prejudice still exists as to land.

As has been said, giving a man a farm will not make him a farmer, and giving him implements will not enable him to use them.

---

\*See Pleasant Porter's remarks, page 2. †Maj. Powell 45th Cong. Mss. Doc. 5, p. 26.

Lands should only be given in severalty when a tribe has made a considerable advance towards civilization, so that they may in a very short time become self-supporting and entirely free from Government aid or control. To give lands in severalty before reaching this condition, would be a great injury both to the Indians and to the Government.

In the Indian Territory, this entire subject should be left to the Indians themselves.

Urge and educate them up to the idea, accustom them to the notion, that they must meet the question in the near future, but leave the details of time and manner to themselves.

Until such time as a majority of the Indians on any particular reservation voluntarily consent to divide their own lands, the grants in severalty should be made by the Government on its own land to individual Indians.

Lands thus granted should be made inalienable and free from taxes for a fixed period—less than two generations would, probably, be too short a time.

In that interval the new farmer and grazier\* will have become sufficiently advanced to take care of himself, and hold his own against land sharks.

All agreements or contrivances to secure the lands to a purchaser upon the Indian's title becoming absolute, should be held void

#### CITIZENSHIP.

As soon as an Indian is thoroughly self-supporting, and desires the privilege, make him a citizen and leave the rest to time. The Government, as such, can do no more for him then, than it can for any other citizen.

This right, however, should not be conferred upon any tribe, or body of Indians which continues to hold lands in common.

Individuality must precede citizenship.

Hon. Mr. Laird, Dominion Superintendent General (1875), p. xiii of report, writes:

---

\* See Gen. Gibbon, "Our Indian Question" (1881), on making Indians graziers.

“Our Indian Legislation generally rests upon the principle, that the aborigines are to be kept in a condition of tutelage, and treated as wards or children of the State. The soundness of the principle I cannot admit. On the contrary, I am firmly persuaded that the true interests of the aborigines and of the State alike, require that every effort should be made to aid the red man in lifting himself out of his condition of tutelage, and dependence, and that it is clearly our wisdom and our duty, through education and every other means, to prepare him for a higher civilization by encouraging him to assume the privileges and responsibilities of full citizenship.”

## THE EVIL AND THE REMEDY.

## THE CULPRIT.

In the national crime called the Federal Indian policy, the real culprit is the whole people of the United States.

You, reader, have your share to bear in the common disgrace, and you must do your part in its reparation.

But the immediate present actual active culprit, is the Congress of the United States, which through its persistent and long-continued sins of omission, as well as commission, has permitted the administration of Indian affairs to exhibit such disgraceful alternations of weakness and cruelty, of perfidy and fraud. It must be borne in mind too, that Congress, in all these years has sinned against the light.

It has not been in ignorance of the facts, but has lacked both the power and the will to develop a policy that would do justice to the Indians, and honor to the country.

Congress in this has been afflicted with that worst of evils, spiritual blindness, and that body has never shown itself capable in the remotest degree of appreciating the enormity of this wrong, much less of remedying it.

The Executive has for years made more of an effort than Congress to help the Indians, and has been the avowed friend of the race.

But, as a rule (owing to the want of honest co-operation by Congress, and to its own diversity of functions), the time of the Interior Department has nevertheless, been principally occupied in making, breaking and remaking, and rebreaking "perpetual" treaties of peace.

A treaty is made, a "perpetual" reservation is set aside and certain annuities guaranteed.

Presently, that heterogeneous mass of refugees, miners, and gamblers, which, on the frontier, affects to call itself the "ad-

vance of civilization," seizes part of the reservation, the payments due come late, or not at all, the hungry and cheated savages rebel, much blood and treasure is spent in teaching them that the white man's "forever" means "never," a Commission is sent to make more promises to be broken like the last, and so on to the end of the shameful chapter.

So notorious is all this, that it is difficult to induce competent men to serve on Indian Commissions.

Nevertheless, the remedies must be worked out through Congress.

That body is inert or active only for evil. The true Indian policy must be framed from without, and must be forced on the sluggish sensibilities of the Federal Legislature by persistent and unremitting demand. It will never deal with the subject in the proper spirit as long as it can be put off.

No great moral reform ever originated in Congress, and it is safe to predict that none ever will.

Its slavery record is full of meaning. That question was agitated for many long years before Congress took any notice of it, and then the first great struggle was begun, not with an effort to remedy the wrong, but in a vain attempt to smother the national conscience by trying to suppress the right of petition. All through this momentous question, Congress was the sluggard. At the end, the finishing blow was given by the Executive, and not by Congress.

It is true that Congress has ordered numerous "Indian investigations," and has printed many thousand pages of testimony and reports.

Also (as before mentioned in the Chivington case), many members and witnesses have drawn much mileage on such occasions, and the committees have spent great sums for "expenses," and favorites have earned pay as stenographers and clerks, thus helping to pay the members' political debts.

These committees have generally done one good thing—mercilessly condemned the Federal Government—yet the two Houses have never responded, or appeared sufficiently interested to make an earnest effort to respond, on any occasion with a fair,

well-defined, carefully prepared, and honestly kept policy for Indian affairs.

Not only have they failed to meet the question with a broad, statesmanlike policy, but they have time and again neglected to provide means for the fulfilment of the most solemn treaties; and, frequently, in the case of ordinary annual appropriations, have been so dilatory as to cause great distress, sometimes actual and prolonged suffering, for want of food.

In the case of the Sioux and others, it has been shown that Congress (having fraudulently altered a treaty requiring *fifty* annual payments of \$50,000 by inserting *ten* annual payments, without the knowledge or consent of the Indians) caused a disgraceful and bloody war by refusing to continue the stipulated annual payments, whereby many lives were lost and over thirty millions wasted.

In other words, Congress deliberately endeavored to cheat these Indians out of \$2,000,000, and squandered over fifteen times that sum in the scandalous attempt!

When Congress passes from the position of criminal neglect, its acts are often worse than its omissions. Its ill-judged, ill-timed parsimony, and its piddling penuriousness, have, on other occasions, directly or indirectly, resulted in wasteful expenditure of blood and treasure. It has been successful only in accumulating a record without parallel in modern civilization for its heartless infamy.

Most of the session of Congress is spent in the merest details of necessary current legislation and partisan manœuvres, and the little time which is left, is generally consumed in dull iteration of inane platitudes about finances, or the tariff, or some other subject upon which the speakers are equally uninformed.

During the last four years the principal sign of Congressional activity has been in a persistent effort to pass the Oklahoma Territory Bill, and the attempt to turn the Indians over to the War Department on the extermination theory. These are twin measures intended to open the Indian territory to railroads, and generally, to the civilizing influences of frontier life.

Both schemes are unanimously opposed by the 60,000 self-

governing, civilized Indians, who inhabit the territory, and would be crowning infamies.

The most notable men in Congress have their time full of their own aspirations and the exactions of party leadership, and when one comes to consider the "routine Congressman" it will be seen what an immense propulsion from without it will take to enforce an honest, as well as a live, Indian policy.

## THE ROUTINE CONGRESSMAN.

He is, in many respects, unique.

As a political molecule, he is *sui generis*.

His like has never existed anywhere else, either in ancient or modern times.

No other representative Government, past or present, has produced his counterpart.

In knowing this he need not feel proud, nor need his constituents.

His peculiar constitution is owing to himself and to his surroundings.

Of himself, consider what he is *not* as well as what he is.

He is not positively bad; indeed, he is positively nothing.

His points are mainly negations.

Fortunately, he is not rash.

His worst enemy will freely acquit him of this imputation.

His professional training, such as it is, has had this effect, that, be he never so radical on a party question, he is essentially timid about changes in the Constitution and the laws.

Thus, the country has escaped the wild schemes of the *doctrinaires*.

This is owing to the education of the common law, for this same class of lawyers in France having no such conservative influence and being carried away by the crudities of the "*Contrat Social*," became the most pestiferous element in the French Revolution.

This routine representative is disposed to consider whatever is, is right. Many other things he is *not*.

What he *is*, makes it important to consider him here.

The great role of the "routine member," in fact his principal employment, is to maintain a political "intelligence bureau" for the benefit of such of his "workers" as desire to live without work.

The number and variety of "strong letters" he can write, urging the peculiar fitness of A, B or C, for this, that or the other post, are equally a pleasant surprise to the happy candidates, and a terror to their official recipient.

As a guide for visiting constituents, he is also a success.

The members of other representative bodies have no patronage, and as a rule no individual schemes.

They simply vote on drafts of laws prepared and submitted by the ministry.

But the routine Congressman occupies no such limited sphere.

Although most of his legislative hours are passed in considering appropriations, investigations and other current matters, with occasional partisan bills, he is in his happiest mood when he is rid of all this, and when he is indeed a legislator. Then, free from the prejudices of the dead past (often knowing nothing of it), and, having caught the Speaker's eye, he calls up his "measure."

He never proposes a bill or an act, it is always a "measure" or a "project."

Every man is his own premier, frames his own laws, rides his own legislative hobbies, and ventilates his crammings from encyclopædias and newspaper clippings.

By and by this "effort" appears in the member's district under his frank.

This is his "record."

There is one encouraging feature about him.

It is this—outside of partizanship and law he has no very strong convictions, and will take kindly to yours, reader, if you sufficiently impress him with your earnestness.

This is the key of the situation.

It will not be so much aggressive opposition, as quiet indifference, or a dogged unreasoning belief that nothing can be done for the Indian race, that will have to be contended with.



The question is—how can a public sentiment be developed in favor of the proposed policy, and be made to impress itself forcibly and successfully on Congress?

The immediate objective point is this—to have Congress formally, by resolution, adopt a declaration of principles for the future government of Indian affairs, embracing the views here advocated.

These once declared by an overwhelming voice to be the fixed unalterable policy of the Government, current legislation would from year to year be in harmony therewith.

## AGITATION.

Having discussed the proposed plan, it remains to be considered what must be done to secure its adoption, development and enforcement by the Government.

This can only be accomplished by systematic agitation.

Concert of action is essential.

This requires unity of interest to a sufficient degree to preserve organization, and produce aggressive movement.

For this reason local Indian Peace Societies could not, at least now, be made effective.

The interest in the subject is too slight, too merely passive or assenting. The difficulty of association is so great, the evil so remote and unseen, and the purpose so wholly foreign to the concerns of every-day life, that such societies now would be inefficient.

## MACHINERY.

To overcome this difficulty, comprehensive machinery of agitation is required. What shall it be, and how shall it be managed?

For the rapid propagation of any plan of moral improvement, machinery is quite as necessary as it is in politics. As to politics, a great deal of unmeaning twaddle is indulged in by inconsequential dreamers about the "political machine."

But the fact remains, that it is indispensable.

There is nothing wrong about the machine *per se*, the trouble is with the men who control it. The political machine proper is identical in both parties, and in all parts of the Union.

Having National and State organizations, and the latter being sub-divided into county, township, ward and division committees, the machine is admirably adapted to the purpose for which it was brought into existence, viz: to marshal political thought into concerted aggressive action.

Those who affect to denounce political machines, invariably

show their disbelief in their own invectives by establishing rival ones of their own. The political machine is not the creation of one mind, or of one generation of minds. Indeed it never was created, it grew spontaneously.

It is practically unrecognized by the law, it is *imperium in imperio*, yet in all crises gives the almost direct initiative to Government.

It must be observed too, that, (except in purely local organizations, dealing with the merest details,) this machine has no written code, but is governed exclusively by a sort of common law of its own which is practically identical everywhere. This political common law is the outgrowth of a century of popular sovereignty.

BANCROFT LIBRARY

Three generations of public men, all over the country, having by general consent, become convinced, not only that a machine is necessary, but also that it must be constructed in a particular way, the conclusion forces itself on the mind, that their conviction and consequent action must have been caused by the inherent necessities of the situation.

To suppose that the machine as an entirety, owes its origin to a corrupt desire of politicians to enjoy the Government patronage, is puerile in the extreme.

The reason why this political machinery springs everywhere spontaneously into being, and is found in no other country in such perfection of growth, is self-evident.

The United States is the only great Nation governed, almost unrestrictedly, by universal suffrage.

In aristocratic and autocratic countries the governing class is comparatively small, is bound together by many ties, and has ready and constant facilities for inter-communication. There is an *esprit du corps* which animates the entire mass.

Through class distinctions and hereditary governing functions—both those recognized by the laws and those by custom and the force of things—the prevailing idea makes itself felt with ease, and thus shapes government action.

Even in that political organism which calls itself the French Republic, the same thing may be noticed, though in a modified degree.

That Government is mainly what might be termed a recognition throughout of the *status quo*.

With a standing army, a peculiarly constructed Senate, a Church powerful, though barely tolerated by atheism, an aristocracy which, though without functional activity, wields great power; in a word, it presents the spectacle of the traditions of absolutism working under the tri-color; all interests and classes are in some degree either recognized by law or in fact.

In a Government, however, conducted by universal suffrage, and as near a pure democracy as possible, immediate, spontaneous, popular concert of action on either moral or political causes occurs only in great crises.

The interests and classes which elsewhere thus effect political results, either do not exist here, or have no ready cohesion or inter-communication.

Every political unit moves, but, without the usual political machinery, concert of action cannot be attained.

Hence, the machine has been found to be a necessity.

If the machine, in carrying out the object of its existence, incidentally makes or mars the fortunes of its engineers (who use it for their own corrupt ends), that is a good reason for changing the engineers, but not for discarding the machine.

#### SOCIAL FORCES.

A machinery, therefore, being requisite, and the establishment of one purely devoted to Indian affairs being now impracticable, the question recurs: How shall it be constructed, and how operated?

The projected Indian agitation is not a movement which will excite the interest of the average voter, nor is it important that it should.

The attempt will not be made.

The entire agitation is intended to influence the individual members of Congress through representative men, representative bodies, and representative classes in their districts.

For this reason, public meetings and other similar general appeals would not be lastingly effective.

But how bring these representative influences to bear upon Congressmen?

Only one practicable plan suggests itself.

*It is proposed to utilize the entire machinery of society, as it now exists, and use it as a means for promoting the requisite public agitation.*

The agencies through which society carries on its manifold operations—religious, political, social, economic—bear the same relation to the body politic that the veins, muscles, and nerves do to the human frame.

Here it is the political organism—the Government—which fails to perform its functions.

The other organisms must be constrained to act upon this one to compel it to do its work.

#### THE PRESS.

Throughout the Union the Press, with few exceptions, has shown its appreciation of the enormities of the Federal Indian history, and may be looked to for very potential service in reforming the abuses of the past and advocating any measures designed to give the Indians fair play in the future.

#### THE CHURCHES.

With a systematic and comprehensive system of correspondence, the churches can, through their Bishops, or other dignitaries, act upon the local clergy and, through them, upon the church societies and leading parishioners, who in their turn will deal directly and personally with their members of Congress.

#### THE STATE.

In the State, through the Executive, the scheme may receive the favorable attention of the Legislature, and thus that of the Executives and Legislatures of the other States.

#### MUNICIPALITIES.

In like manner, through the Mayors of cities, the plan will be brought before the municipal bodies for endorsement.

#### PARTY ORGANIZATIONS.

The various party organizations can, in a similar way, act upon kindred bodies throughout the country.

## THE SCHOOLS.

In the same way, the universities, colleges, learned societies of every kind, and the entire public school system throughout the Union, can be made to work as a unit to secure a successful issue of the agitation.

## THE BOARDS OF TRADE

can also very effectively aid in the proposed agitation. Charitable and other societies will be invited to join in the movement.

As has been intimated, it is not intended to attempt to act directly on the mass of the voting population, but it is designed to make each individual Congressman a separate "field of action," in order to secure his hearty co-operation in the proposed Indian policy, by using directly and immediately upon him in his district, all the forces of society just detailed.

Sometimes, having in view the peculiar characteristics and antecedents, and capabilities of a particular member, a special pressure will be brought to bear upon him, both in his district and from without, through that distinct interest most likely to impress him favorably.

It is intended to secure systematic and periodical reports of the condition of the agitation in each Congressional district. Thus its progress can be noted, and in all weak, halting or hostile districts redoubled and continued efforts will be persisted in until the member pledges his support.

In the case of Senators, the only difference will be, that instead of depending on district influence recourse will be had, principally to State organisms.

## INITIAL MOVEMENT.

To set all these forces—religious, political, social economic—in motion, and when started to keep them moving as a unit, and pressing forward aggressively in the cause, two things are necessary :

*An initial movement in some one locality.*

*A thorough system of correspondence between that centre and each Congressional district.*

The initial movement must be by individual effort in that place, so as to make it the headquarters of the agitation.

In other words the entire social organism of that place, must, by individual action, be thoroughly interested in the cause, so that in all its ramifications, it may be used to influence like organisms in every Congressional district.

From explanations of this plan of Indian policy made to dignitaries of the various churches (and active spirits in their societies), to leading men in official and political life, to representatives of the press, of science, arts and commerce, the writer is enabled to say that assurances of hearty co-operation have already been received.

The writer proposes, with their assistance, to undertake to create in Philadelphia, as a centre of agitation, the necessary sentiment through representative agencies in favor of the projected Indian policy, and to use that sentiment in securing the active support of similar forces in the various districts, whereby the aid of the member of Congress must be obtained.

To make this local interest effective throughout the Union, it is requisite that there be established a very thorough and comprehensive system of correspondence between Philadelphia, as a headquarters, and each Congressional district.

This must be continued until its object shall have been accomplished.

This system of correspondence the writer will establish and maintain. This paper is published in order to explain the plan, and its proposed means of enforcement, to those whose active individual aid will be sought, and to such others as may feel interested therein.

#### DETAILS.

The details of agitation are important to secure efficiency, and a result corresponding with the effort.

The method proposed for the churches will serve as an example. The various denominations have for many years been engaged in active and untiring missionary work amongst the Indians for their individual improvement.

The agitation here proposed, however, concerning the entire race in its relations with the Federal Government, will not in any way conflict therewith.

The hierarchy is admirably adapted for the systematic propagation of the plan.

In each denomination it is designed that the Philadelphia Bishop, or other authority, write circular letters, which will be mailed to all the other Bishops, or corresponding authorities, throughout the United States.

The recipients of these letters will be requested to issue pastorals to the local clergy, which will briefly refer to the proposed Indian policy set forth in the platform (designed to accompany the same), and they will be desired to address their congregations in advocacy thereof.

They will be furnished with petitions, which they will be asked to invite their parishioners to sign immediately after the service.

They will also be urged to appoint a committee of their most active and influential members, who will communicate with the member of Congress from their district, and have a time fixed for a personal interview with him.

At this interview it is particularly desired that the entire committee, with the pastor, attend, give the member the petitions to be presented by him in Congress, and then and there call upon him for his support, and insist upon having it.

Finally the results of this interview, and any views and suggestions which occur to the committee, are to be reported at once to Philadelphia.

This is of the utmost importance.

In like manner all the various organizations connected with the church will be invited to take formal action and make known their wishes to the member of Congress.

In this way, the entire force of each church in the district will be brought to bear directly upon him.

The plan proposed here for the churches is designed to be employed, *mutatis mutandis*, with every social, political, and economic organism in his district.



No member of Congress can resist all these influences.

The majority will have no inclination to resist. When they feel what is expected of them, they will do it.

Under persistent and continued agitation, gradually, widespread indifference, or aimless interest, will be succeeded here and there by an aggressive spirit which will spread and grow, and when once fairly aroused will never rest until the blot upon the Nation—its past Indian record—shall have been wiped out by deeds of ample justice.

It was so with that other great national evil of slavery, which cried out to heaven for vengeance, through the tears of many generations, in vain. It was only in the last that the spirit quickened and bore fruit in deeds.

How like the growing of a mighty tempest, the elements of that strife gathered themselves together! When the right, ceasing merely to mutter, had become aggressive, how the storm spread and enveloped all things! The antagonistic forces, right and wrong, tiring of delay, at last, in the terrible earnestness of a great moral revolution, resolved themselves into physical force; and then the right, sweeping over the land, wiped out this accursed thing and carried with it every obstacle which stood in the way.

So it will be here. But far speedier results may be looked for, and through moral agencies alone.

Neither official sanction nor public opinion can soon remedy the evils caused by generations of moral obliquity.

But a general acceptance of the proposed policy, its formal and irrevocable adoption by the Federal Government as its fixed basis of action, and the existence of a public opinion determined to enforce it, will give an impetus to the work, which will, by many years, abridge the time required to make the Indians civilized and wholly able to take care of themselves.

This point reached, the Nation and its Government, being so resolved, one generation of honest, persistent effort will make the entire Indian population fit for absorption into the great mass of the Nation.

JAMES W. M. NEWLIN.

Philadelphia, November, 1881.

